



STANDARDS FOR

PRIVATE USE OF PUBLIC SPACES

A DOWNTOWN RALEIGH URBAN DESIGN HANDBOOK

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STANDARDS FOR PRIVATE USE OF PUBLIC SPACES

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I OVERVIEW

A. INTRODUCTION

This handbook provides a framework for private use of the **public space*** in Downtown Raleigh. It outlines basic procedures and standards for approving a variety of private uses of sidewalks and other public rights-of-way spaces, toward creating an active, accessible, and vibrant urban environment. In doing so, it also recognizes the inherent relationship between the vitality of private property and the increased economic and pedestrian activities of the street. The handbook assists individuals interested in generating on-street activity achieve their goals quickly and easily.

B. BACKGROUND

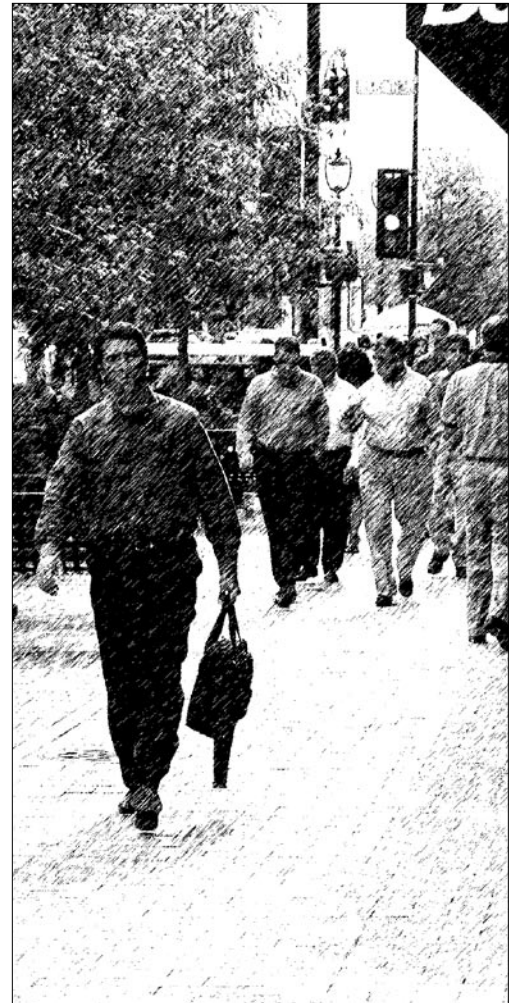
The handbook is an outgrowth of the City's "Livable Streets" plan, a community-based plan for the reinvigoration of Raleigh's core. Livable Streets outlined five essential objectives to be achieved by 2007. This handbook relates to four:

1. Expand downtown management to take a one stop approach to management and advocacy.
2. Improve the pedestrian environment making downtown accessible to everyone. Balance the needs of pedestrians against those of the car. Create an attractive, well lit, safe environment that links office and residential uses to amenities such as restaurants, museums and other venues.
3. Complete a Fayetteville Street Renaissance to reinvigorate the street as the heart of Raleigh, our ceremonial corridor and the premiere address for office, events and cultural activity.
4. Undertake regulatory reform to improve the business climate by removing regulatory impediments, making it just as easy to do business downtown as any place in the region.

In December 2004, the Raleigh City Council adopted new project approval standards for the center of the City. The Downtown Overlay District (DOD) simplifies earlier layers of regulation by combining previously established overlay districts into one set of standards.

This handbook complements that initiative, focusing on the public spaces within the Downtown Overlay District and three adjacent Pedestrian Business Overlay Districts. It outlines basic procedures and standards for approving a variety of street level activities.

** Throughout this document, words defined in the Glossary are shown in **lower case boldface type**. See Appendix Section 3.*





C. OBJECTIVES

The overall goal of these standards and procedures is to promote a vibrant, engaging, and attractive downtown. They do so by pursuing the following objectives for:

STANDARDS:

- To provide fair and equitable regulation.
- To assure a safe and comfortable street-level environment.
- To promote economic and pedestrian activities in Downtown.
- To establish maintenance standards and responsibilities when public space is used for private purposes.
- To enhance the appearance of streets, sidewalks and other public spaces.

PROCEDURES:

- To provide a one-stop shop for obtaining permits for use of public rights-of-way spaces.
- To encourage diverse street-level activity.
- To make it convenient to do business in public spaces.
- To make it easier to obtain information on procedures and standards regarding use of public spaces.

D. PERMITTING OVERVIEW

I. AREA

The standards and procedures outlined in this document apply to all areas within the Downtown Overlay District (DOD), and three adjacent Pedestrian Business Overlay Districts—Glenwood South, the North Person Street retail area (Oakwood-Mordecai), and the Peace Street retail area. For lots at corners of Salisbury and Wilmington Streets and intersecting cross-streets, the regulations apply around the corner of the intersecting street, to as deep along Salisbury or Wilmington as the edge of the individual lot for which the permit is requested. This special treatment is consistent with another of the “5 in 5” goals of the Livable Streets initiative: to “complete a Fayetteville Street Renaissance.” The standards seek to build on the sense of place established by the Street’s recent redesign, enlisting public spaces to foster new civic and economic activity in the downtown core.

2. APPLICABILITY

These standards apply to newsracks, outdoor dining, street performances, pushcart vending, mail drop-off boxes, and certain minor encroachments, including outdoor merchandise, street furniture and accessories, awnings, lighting, signage, and Façade Grant elements (see Glossary Section 6).

The standards and procedures outlined in this handbook do not apply to the following activities: special events, street closings, public parks, and Major Encroachments, that are handled separately by the designated City Department, Division, or Agency. For information regarding these exempt uses, please contact the following:

Special events:	832-1231
Temporary street closings:	890-3040
Public parks:	831-6640 ext. 6854
Major encroachments:	516-2559

3. RESPONSIBILITIES OF PERMIT HOLDERS

Any person, who maintains a business location within the City limits or, either personally or through agents, solicits business within the city, or picks up and/or delivers goods or services within the City limits, is required to pay the City's Business License Tax unless specifically exempted by Federal or State or Local ordinance. If a company or individual is engaged in more than one type of business activity within the city, a separate license may be required for each type of business activity. A separate license is required for each business location in the City limits (*Sec. 2-2011*). In addition, all private uses of public spaces require a valid City of Raleigh permit approving the specific use. See Appendix Sections 1 and 2 for permit fees and staff contact information.

Please Note:

- Business Licenses are valid for one year (July 1st - June 30th) and expire on June 30th.
- Established businesses requesting permits for use of public spaces may produce a copy of the active Business License and Proof of Insurance, if the proposed use is an extension of the operating business and on the same premise.
- Business owners requesting multiple minor encroachment permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.
- Individual publishers or distributors requesting permits for use of public spaces may produce a single copy of the valid Business License and the Proof of Insurance for placing newsracks in multiple locations.

Additional responsibilities of permit holders include:

Permit Validity & Renewals

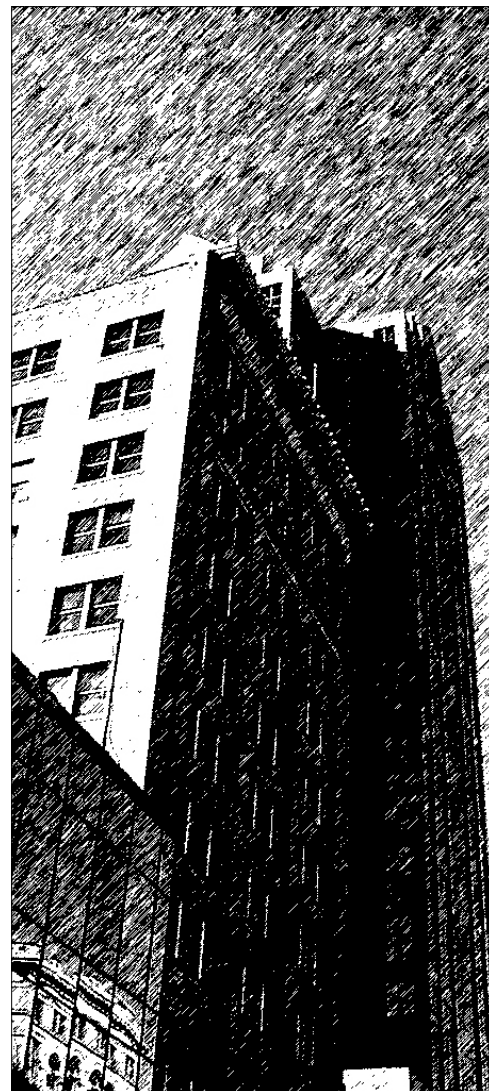
Permits are valid for one year (July 1st – June 30th) and expire on June 30th, except for **minor encroachments** (with the exception of outdoor merchandise) which do not require annual renewal. Annual renewal applications must be submitted by June 30th or else will be considered expired.

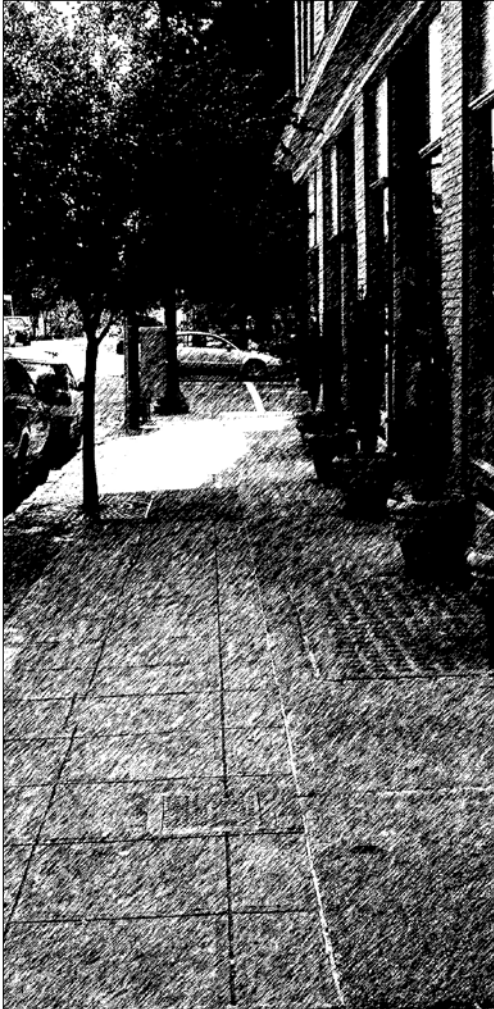
All issued permits are location-specific (except for street performers). If within a given year of receiving permit, the applicant desires to change location, an application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of resubmittal. Multiple permit requests for one qualifying location are allocated on a first-come, first-served basis. The time of submittal of the complete application is given priority. Applicants must also reapply whenever the nature of use, ownership, scope, or location of the permitted uses change. The permit holder is responsible for ensuring the proper validity and timely renewal of permits as required for the approved use of public spaces.

During special events approved by the City such as festivals, parades etc. the annual permits may be temporarily suspended for pushcart vendors and street performers. The permit holder requires special permission from the special event coordinator/ sponsor to use the public space within the designated boundary of the special event area. The standards of performance and procedures for use of public space during special events may vary. The permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their business. For more details on Downtown Special Events, please contact the Downtown Raleigh Alliance at 832-1231. All latest information on downtown events can be tracked at the following website:

<http://www.godowntownraleigh.com/>

At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. The Downtown Permits Office maintains record of all permits including contact information.





Maintenance Liability

Any private party receiving a permit for use of public space assumes responsibility for maintaining the spaces used by that activity. Areas must be kept clean and free of obstructions that impede pedestrian movement. Standards of maintenance must be consistent with those outlined in the City of Raleigh publication ***Fayetteville Street Renaissance Maintenance Partnership, Programs and Policies*** (see *Appendix Section 4*). The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space. The permit holder is also responsible for the temporary removal of private materials or accessories from the permitted space for specific maintenance services deemed necessary by the responsible City Department, Division, or Agency. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.

Referrals to Encroachment Committee and Appeals

The Downtown Permit Office (DPO) coordinates the review of all permit requests outlined in this handbook. However, for a particularly complex permit request, or one of a potentially precedent-setting nature, the DPO staff may forward the request to the City's inter-departmental **Encroachment Committee** for expedited review. The DPO will inform the applicant of such finding at the earliest possible date, and assist in scheduling the request before the Committee. The Encroachment Committee meets the first and third Mondays of each month. The submittal deadline for the Committee agenda is generally two weeks before the meeting date (contact 516-2559 for additional details).

Additionally, if DPO staff members determine they cannot approve a given permit request, the applicant can elect to appeal that decision to the Encroachment Committee. If the Encroachment Committee denies the permit request, the decision may be appealed to the City Council through a Petition of Citizen. Details on filing Citizen Petitions can be obtained from the City Clerk's office by contacting 890-3040.

Violations

All permit holders are expected to adhere to the location, design, operation, and maintenance standards and procedures outlined in this handbook. Non-compliance with respective standards and procedures is a violation. The City of Raleigh Inspections Department notifies permit holders of violations.

Fines and Revocation

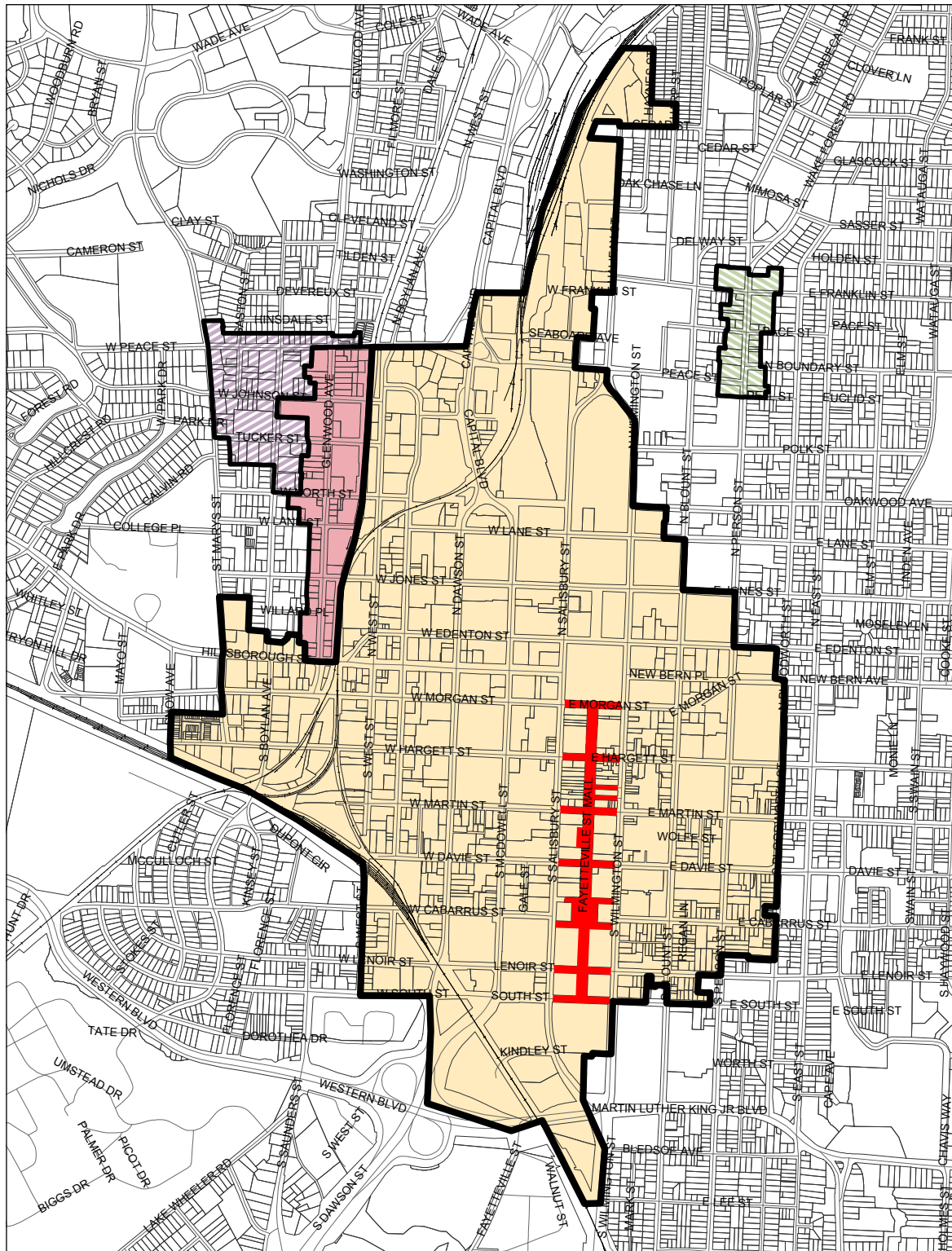
Upon receiving a violation notice from the Inspections Department, permit holders are expected to remedy the violation within the time period specified in the notice. However, if the violations are not remedied within the time granted, violators may be subject to fines and possible permit revocation. Once permits are revoked, the permit holder is required to reapply for further consideration.

Revocation Criteria

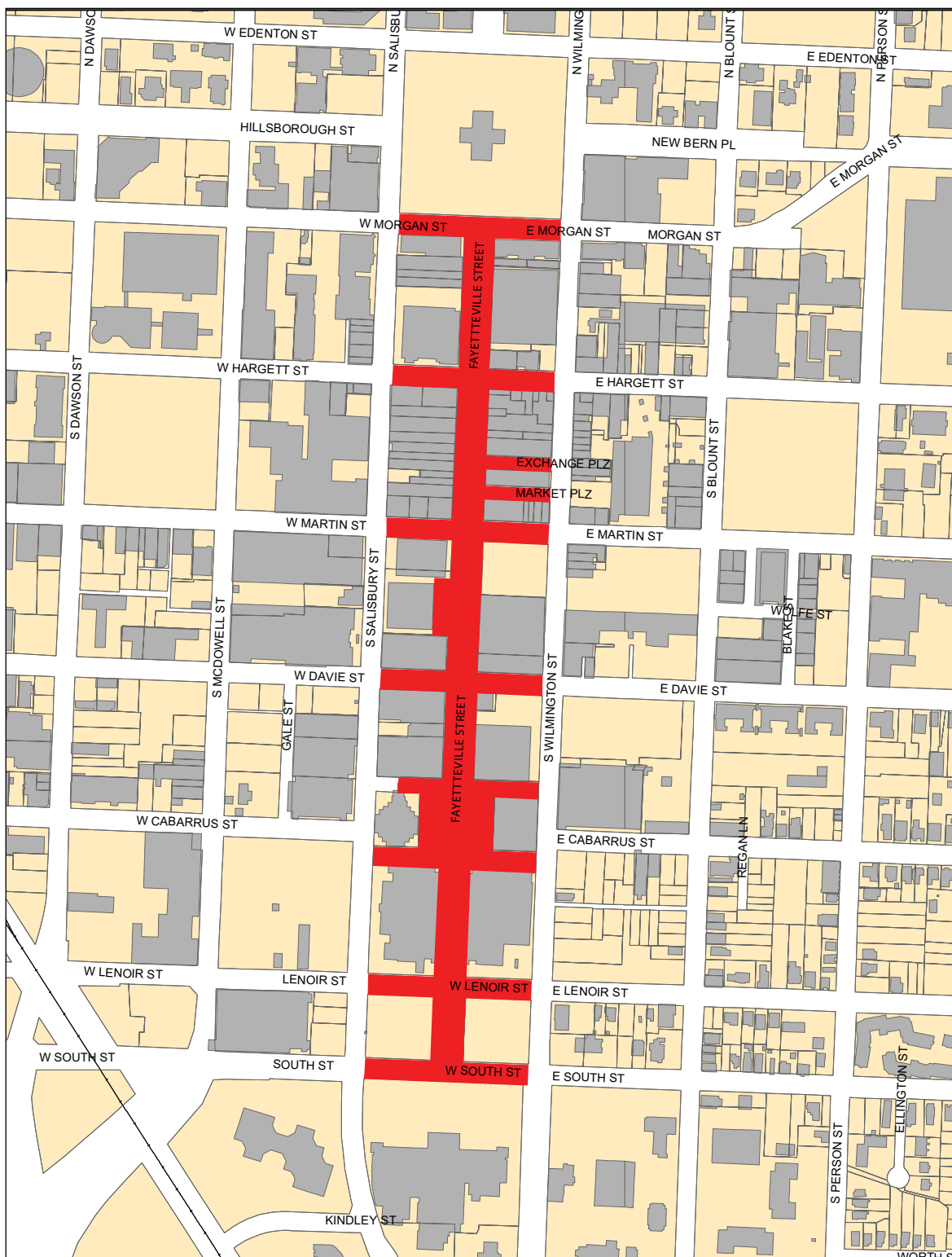
Permits can also be revoked if any of the following occurs:

- permit holder fails to maintain initial qualifications,
- data or information is falsely represented in the application,
- violation of the Local, State and Federal health regulations,
- conducts business in an unlawful manner or in such a way that constitutes a menace or detriment to the health, safety, or welfare of the public, or
- three violations of any section of this handbook within a fiscal year.

Areas of Applicability:
Downtown Overlay District



- Downtown Overlay District
- Glenwood South Business District
- Peace Street Business District
- N. Person Street (Oakwood/Mordecai) Business District
- Area of applicability for Fayetteville Street standards (for detailed map, see next page)

*Areas of Applicability:***Fayetteville Street**

Area of applicability for Fayetteville Street standards

Please Note: For lots at corners of Salisbury and Wilmington Streets and intersecting cross-streets, the regulations apply around the corner of the intersecting street, to as deep along Salisbury or Wilmington as the edge of the individual lot for which the permit is requested.

E. DOWNTOWN PERMITS OFFICE

The Downtown Permits Office (DPO), located in the City Inspections Department, issues all public space use permits in Downtown Raleigh (see preceding maps for the applicable areas). The office assists applicants to ensure that all required forms, information, and fees are properly submitted. The Downtown Permits Office reserves the authority to determine the completeness of permit requests and their adherence to the desired performance standards and procedures. If, at any time staff determines that the request is incomplete and does not meet the desired standards and procedures, they could deny permits or add further conditions to be met as part of the permit issuance. Any Minor Encroachment permit request may be routed to the City Encroachment Committee for further review and scrutiny as deemed appropriate by the DPO or the applicant as part of an appeal (see Section I.D.3 for details). Applications are routed to other departments as needed for review, and permit data is entered, stored, and retrieved from a common database (Integrated Raleigh Information Service) that is accessible to all City departments.

I. PERMITS ADMINISTRATION

The Downtown Permits Office (DPO) serves as the chief contact point for applicants and as the coordinating agency for permit management. Various City departments and associated agencies assist the Downtown Permits Office in the permit approval process as outlined in the table below:

Department/Agency	Area of Responsibility
Downtown Permits Office	One-Stop Permits Administration and Management
Revenue Services Division	Business Licenses
Downtown Raleigh Alliance	Permit Monitoring, Public Information
Inspections Department	Downtown Permits Office, Code Enforcement, Enforcement of Civil Penalty
Police Department	Monitoring and Law Enforcement
Parks and Recreation Department	Maintenance Evaluation and Coordination
Raleigh Urban Design Center	Design Review, Facade Grants

The Downtown Permits Office is responsible for approving the specified permits and for tracking the permit status (i.e., expiration dates, validity etc.). They also periodically review the permitting process and fees, and recommend changes as needed.

Depending upon the complexity and completeness of the permit application, Downtown Permits Office staff outlines a tentative timetable for application approval. Downtown Permits Office staff also provides details about the City's [Façade Rehabilitation Grant Program](#) (see Appendix Section 6), which assists property owners with matching grants for awnings, attached signs, or other upgrades to building fronts. Facade Grant applications are administered by the Raleigh Urban Design Center (contact 807-8482 for more information).

All issued permits are location-specific. If, within a given year of receiving a permit, the applicant desires to change location, the application has to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal. Multiple permit requests for one qualifying location are allocated on a first-come, first-served basis. The time of submittal of the complete application is given priority.



2. INSPECTIONS

Permittees and their spaces are inspected by the City of Raleigh Inspections Department to ensure that permit provisions are being met. Inspections notifies permit holders of any violations.

3. MONITORING

The Downtown Raleigh Alliance (DRA) monitors compliance of street-level activities. DRA staff may issue friendly warnings and report violations to the City for code enforcement. The Parks and Recreation Department's Maintenance Division monitors and coordinates maintenance of public spaces within Downtown. The Urban Forestry Division of the City's Parks and Recreation Department oversees activities which impact city trees (pruning, removal, replacement, etc.).

4. NOTIFICATION AND ENFORCEMENT

The City Inspections Department is responsible for determining whether permit violations have occurred, and for notifying permit holders of the need to remedy those violations within the time period specified in the notice. After regular business hours (5 p.m. to 7 a.m.), the Downtown District Police Department is responsible for enforcement. Permit holders who do not comply with permit provisions within an allowed time period are subject to fines or subsequent revocation of permits.

II

PERMIT PROCEDURES

A. NEWSRACKS

DESIGN STRATEGY

To provide access to newspapers and related printed informational products, without their respective cabinets becoming visually obtrusive or a physical impediment.

APPLICATION PROCESS

Applications for Newsrack Permits are obtained from the Downtown Permits Office (DPO). Each permit application must include the following items:

1. A valid Business License from the City Revenue Services Division. Established businesses requesting permits may produce a copy of the active Business License and Proof of Insurance.
2. A scaled sketch plan or photographs showing newsrack location and surrounding streetscape details covering 6 feet on either side of the proposed rack location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops and fire hydrants.
3. Photographs and any other supporting materials showing the style, type, material and dimension details of the proposed newsrack.
4. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
5. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a newsrack within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement.).
6. Fee payment (see table below). The maximum fee that will be charged for the combined number of newsrack units of any single publication placed within the applicable areas shall not exceed \$200. **NOTE:** The City of Raleigh will develop a permit application for publishers for whom this would be a financial hardship.
7. Fayetteville Street modular newsrack space request form.

Please Note:

- Individual publishers or distributors requesting permits for use of public spaces may produce a single copy of the valid Business License and Proof of Insurance for placing newsracks in multiple locations.

REQUIRED PERMITS

- Business License
- Newsrack Vending Permit

FEE SCHEDULE

Item	Fee
City of Raleigh Business License	Varies*
Newsrack Annual Permit	\$15 (per newsrack unit) (not to exceed a total of \$200 per publication)

* Fee varies with nature, type and size of business



PERMIT PROVISIONS

- Newsrack permits are valid for one year (from July 1st through June 30th).
- All permit renewal applications have to be submitted by June 30th to the Downtown Permits Office.
- All Business License renewal applications have to be submitted by June 30th to the City of Raleigh Revenue Services Division.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- All issued permits are location-specific. If, within a given year of receiving permit, the applicant desires to change location, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.
- Permit holders may be required to remove newsracks temporarily to allow street, sidewalk or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- The regulations of this section apply only to the boundaries of the Downtown Overlay District and the adjacent Pedestrian Overlay Districts (Peace Street, N. Person Street, and Glenwood South) as they exist on the effective date of this ordinance. Expansion of areas regulated by this section may only occur upon the City of Raleigh's establishing, with tangible evidence, the need for regulation.
- Details regarding appeals are provided in Section I.D.3 of this handbook.

Violations

- The City of Raleigh Inspections Department notifies permit holders of any violations.
- The permit holder is responsible for remedying the violation within 10 working days of receiving the violation notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Any newsrack installed, used or maintained in violation of the standards and procedures, or left empty for more than 30 days will be tagged with a notice of violation stating the violation, date of tagging, and notice of intention to remove the newsrack if the violation is not corrected within 10 working days.
- The Inspections Department staff may, as an alternative to tagging the newsrack, move, align, or reposition racks in order to restore them to a legal condition.
- Any newsrack which has been tagged and remains in violation past the 10-day correction period shall be removed by the Inspections Department staff and stored in a secure location. Staff shall mail a notice of removal to the permit holder stating the date the newsrack was removed and the reasons for the action. Any newsrack thus removed and stored shall be released to the owner if claimed within 45 days after removal and upon payment of a fine of \$200.
- If a removed newsrack is not claimed by the permit holder within the 45-day time period, the newsrack will be deemed unclaimed property in possession of the Police Department.

STANDARDS

For newsracks to be permitted within downtown public spaces, all of the following standards must be met:

Location

- No more than seven free-standing racks are permitted in any qualifying location. Only one such location is permitted per street block face. Modular units one compartment wide count as one free-standing rack.
- Individual publications are permitted only one newsrack unit per qualifying location per street block face.
- Newsracks must be located such that an unobstructed sidewalk pedestrian corridor of a minimum of 5 feet in width is maintained parallel to the street at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.
- Newsracks must be placed at least 5 feet from any fire hydrant, edge of street curb, edge of driveway cut, edge of crosswalk, utility boxes and vaults, edge of handicapped ramp, public benches, trash receptacles, building access, exits or emergency access/ exit ways, or emergency call box.
- Newsracks must not be located within a 5 foot radius of any building corner at a street intersection.
- The rear of a newsrack can be no more than 6 inches from the edge of the private property line parallel to the street. For modular newsracks, alternative placements may be permitted upon evaluation and approval by the City Council.

Fayetteville Street Location Standards

- Newsracks are limited to those locations indicated on the map and within City-provided modular newsracks only. On the 00 blocks of Hargett, Martin, Davie and South Streets, newsracks are permitted in qualifying locations a minimum of 100 feet from the edge of the Fayetteville Street right of way (the building edge facing Fayetteville Street). In the event there are no qualifying locations available, applicants will be permitted to place a modular newsrack unit along a block face that is not a hazard or unreasonable obstruction to pedestrian and vehicular traffic.

Design

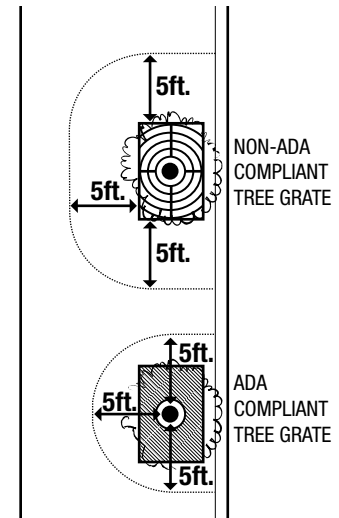
- Single newsrack units and modular newsrack units one compartment wide can be no larger than 55"h x 24"w x 24"d.
- Wherever several units are grouped, **modular newsracks** are encouraged. Modular newsracks measuring no larger than 55"h x 24"w x 24" d can be approved through the Downtown Permits Office. The design of modular newsracks of larger dimensions will be subject to evaluation and approval by the Urban Design Center and the City Council.
- Plastic newsracks are permitted, provided they are internally weighted to a minimum of 50 pounds, with no weighting materials visible externally.
- Second-party advertising is not allowed on the newsracks.
- Newsracks must not be attached to the building or city tree.
- Newsrack units must be enclosed.

Fayetteville Street Design Standards

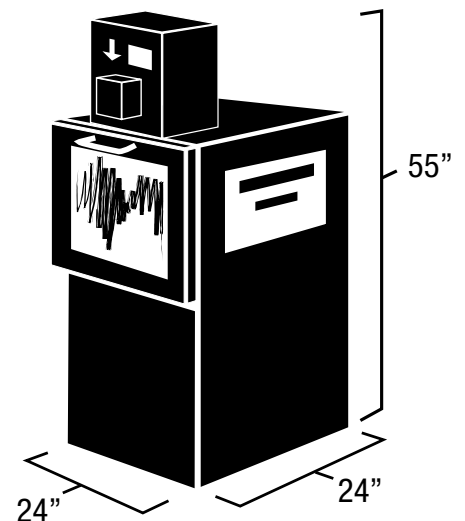
- No privately-owned newsrack units are permitted. Publications are only permitted in City-provided modular newsracks.

Operation

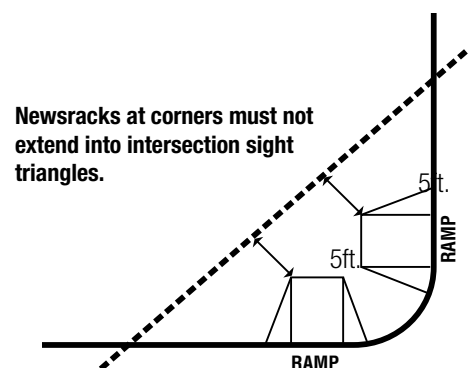
- Newsrack units must not block building display windows without the written consent of the adjoining property/ business owner. A copy of the agreement must be filed with the application.

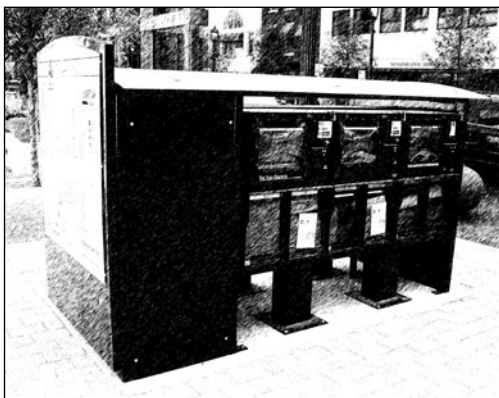


Clear space requirements around tree grates



Maximum dimensions for newsrack in Downtown Overlay District





Modular newsrack on Fayetteville Street

NEWSRACK SPACE ALLOCATION STANDARDS

Publisher Contact Procedure:

The City will contact by mail each publisher currently distributing within the applicable Downtown area. The correspondence packet will include:

- cover letter noting purpose and scope of standards,
- a copy of the new newsrack standards,
- online website link to access application forms and all related information,
- map of modular spaces available on Fayetteville Street with assigned box numbers, and
- note of the deadline for receipt of application (with this date sufficiently in advance of the time expected for processing all applications); applications received after the initial deadline will be considered for space allocation after all the others submitted within the specified deadline.

Please Note: Permit holders will be granted a grace period of 60 days (from the time of receiving the notification) to remedy and meet the performance standards. After receiving notification from the City, and after the grace period expires all newsracks currently operating in non-conformance to the new standards will be considered as being in violation, for which fines or revocation may apply.

Initial Space Allocation— (for Currently Operating Vendors)

Top priority will be given to those publications continuously distributed at a given location for at least the previous 12 months (with the current newsrack permit, a dated photo, or other verifiable information provided as proof). Regarding the allocation of the new modular newsrack units on Fayetteville Street, it is the intent of the City staff to first accommodate the space interests of vendors currently operating within Downtown limits, to the fullest extent possible.

- If the space available at a given location is inadequate for the number of publications interested in locating there (i.e., there would be more than seven free-standing racks):
 - First priority is given to publications published at least seven days per week,
 - Second priority is given to publications published between two and six days per week, and
 - Third priority is given to all other publications.
- If two or more publications have equal priority and request the same location/box space, allocation will be decided by lottery. The lottery system will be administered by the Downtown Permits Office staff.
- If two or more publications desire specific placement within a modular newsrack (e.g., upper right-hand corner, south side), allocation for the space will be decided by lottery.
- Vendors not receiving their first priority of space allocation through the lottery system will be registered on a waiting list for subsequent priority consideration or may apply for an additional modular unit placement at the same location, which shall be evaluated and approved by the City Council.

Subsequent Space Allocation— (for New Vendors)

After accommodating the space interests of all vendors currently operating within the Downtown limits, any open spaces thereafter, will be available for use by new vendors. Wherever qualifying free-standing newsrack space remains available on any given street block face, new racks can be added there until the limit of seven free-standing racks is reached.

- Multiple space requests from new vendors for limited open spaces will be allocated on the same priority system as that followed for currently operating vendors.
- If a previously-permitted publication vacates a space, other publications can apply for that space under the above specified methods of prioritization.
- If all qualifying spots at a given location are taken, new vendors are encouraged to register on the waiting list for subsequent priority consideration.

General Number Limits

- Maximum of seven free-standing racks are permitted per street block face (i.e., maximum of fourteen, counting both sides of the street). Modular units one compartment wide count as one free-standing rack.
- No two free-standing racks of the same publication are permitted at a given location.

Number Limits for Fayetteville Street

- Within the modular newsracks on Fayetteville Street, no second spaces will be allocated to the same publication (through a lottery allocation) until all other interested publishers from the waiting list have had a chance to apply (within a period of 30 days following the approval date of these standards) and assigned a spot. Sunday editions are considered to be the same publication as the respective weekday paper.

Maintenance

- The permit holder is responsible for the maintenance, repair and upkeep of the newsracks. Newsrack units must be kept:
 - reasonably free of dirt and grease,
 - reasonably free of chipped, faded, peeling, and cracked paint,
 - reasonably free of rust,
 - structural parts in good working order,
 - free of graffiti,
 - free of third party advertising stickers or fliers, and
 - clear plastic or glass parts must be reasonably free of cracks, dents, scratches, abrasion, and discoloration.
- The permit holder is responsible for paying any costs resulting from damage to public space due to the installation or operation of the newsracks.

Fayetteville Street Maintenance Standards

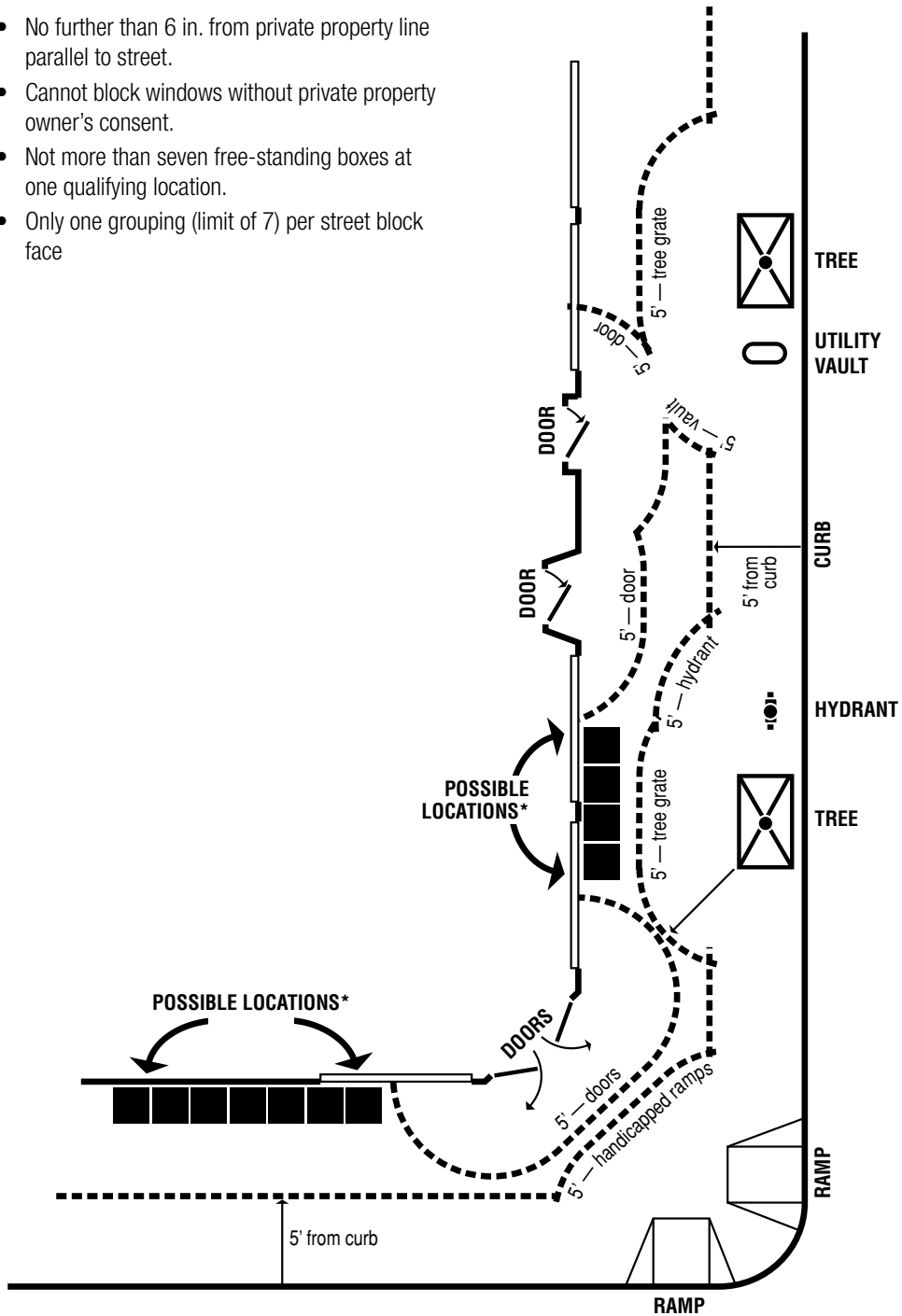
- The City of Raleigh Building Maintenance Division is responsible for the maintenance, repair and replacement of the modular newsracks located along Fayetteville Street.

CHECKLIST

- ☐ City of Raleigh Business License
- ☐ Completed Newsrack Permit Application Form
- ☐ Annual Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement

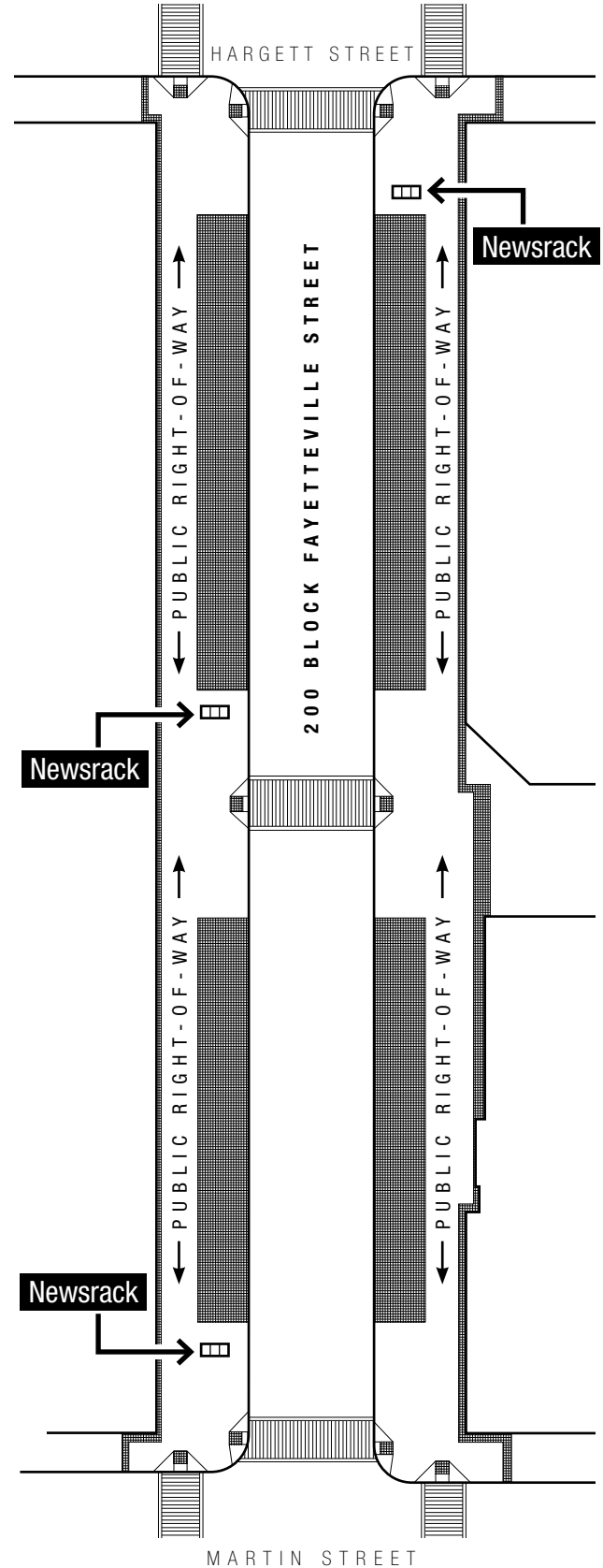
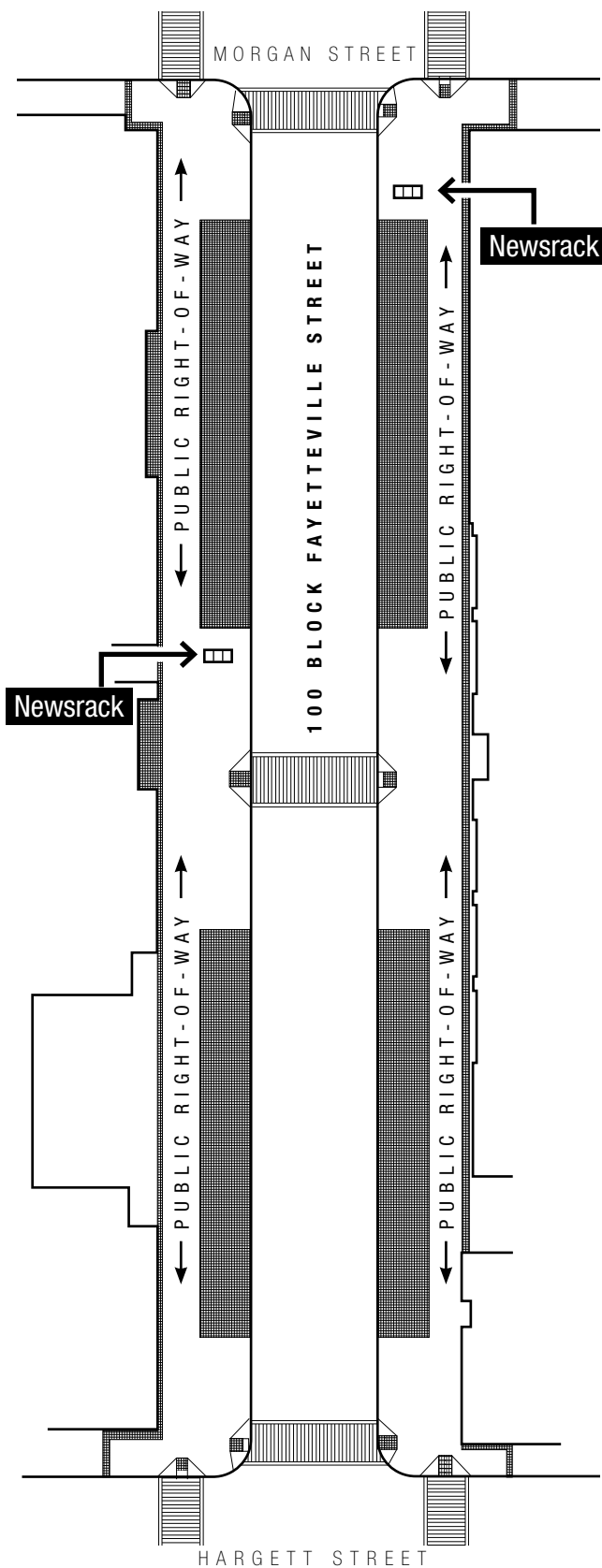
*Downtown Overlay District***NEWSRACKS: Location Parameters**

- No further than 6 in. from private property line parallel to street.
- Cannot block windows without private property owner's consent.
- Not more than seven free-standing boxes at one qualifying location.
- Only one grouping (limit of 7) per street block face



Fayetteville Street

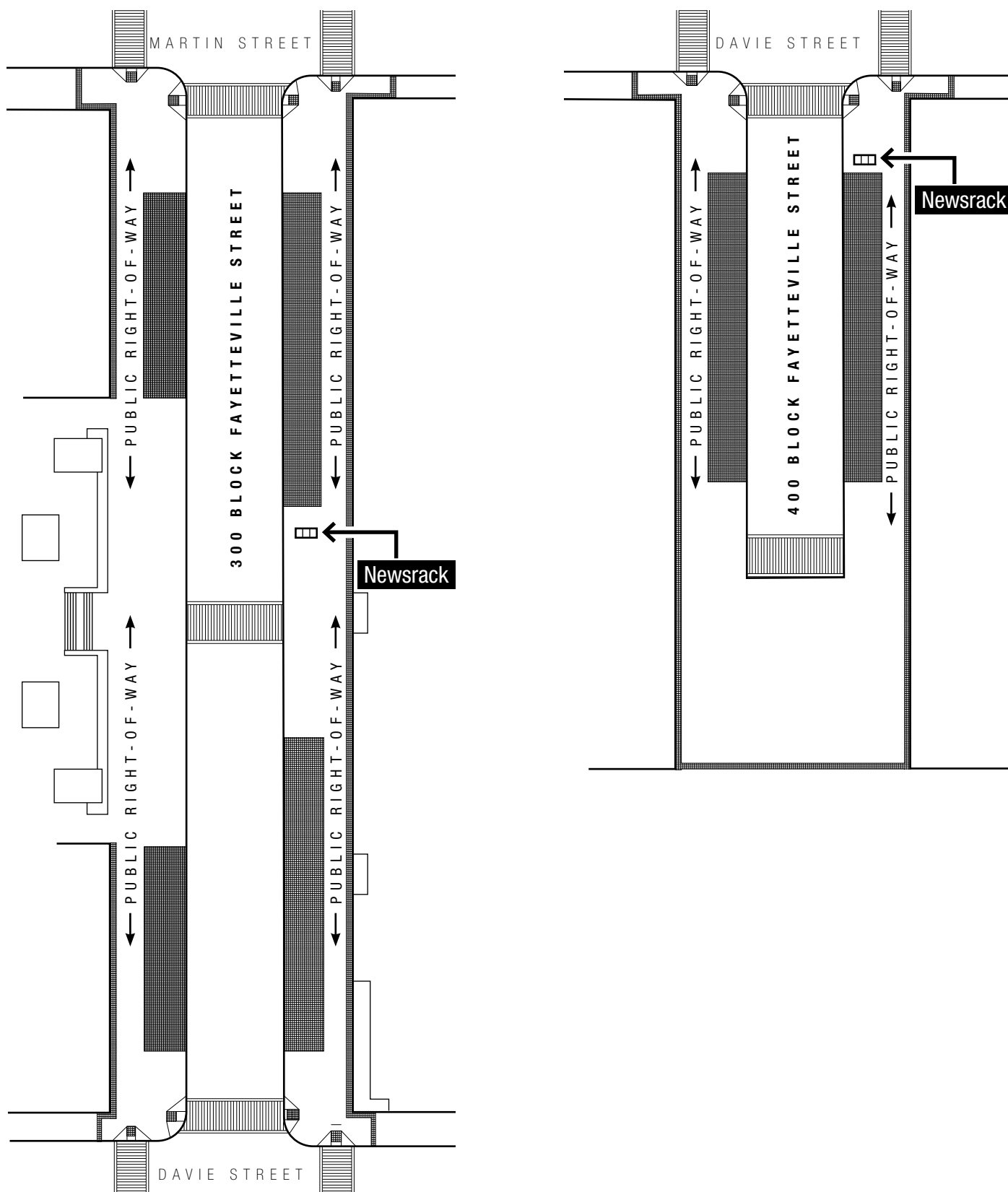
MODULAR NEWSRACKS: Locations



Fayetteville Street blocks showing modular newsrack locations.

Fayetteville Street

MODULAR NEWSRACKS: Locations



B. OUTDOOR DINING

DESIGN STRATEGY

Outdoor dining enlivens the pedestrian environment. **Outdoor dining areas** must be designed to allow unimpeded pedestrian passage around or through them.

APPLICATION PROCESS

Applications for Outdoor Dining permits are obtained from the Downtown Permits Office (DPO). Each permit application must include the following items:

1. An approval letter from the Wake County Environmental Services Department for meeting the Local, State and Federal sanitary and health regulations (contact 856-7400 for more information). A copy of the State Rules Governing the Sanitation of Food Service Establishment (15 A NCAC 18A .2600) can be obtained at the link:
<http://www.deh.enr.state.nc.us/ehs/rules/t15a-18a.26.pdf>
2. A valid Business License from the City of Raleigh. Established businesses requesting permits may produce a copy of the active Business License and Proof of Insurance
3. A scaled sketch plan showing the proposed outdoor dining area boundary and surrounding streetscape details covering 6 feet on either side of property line including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops and fire hydrants. The defined dining area location, and number and arrangement of tables and chairs showing seating capacity should be included. See the sample sketch plan included in this section.
4. Photos, a brochure or an architectural drawing of proposed furniture and umbrella (if to be installed) showing the style, type, color and material.
5. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
6. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by a person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement.).
7. Fee payment (see table below).
8. A State ABC License to serve alcoholic beverages in the outdoor dining space (contact 779-0700 for more information).
9. A City Beer/Wine License to sell alcohol (contact 890-3200 for more information).
10. An Outdoor Amplification permit for outdoor amplification (contact the DPO for more information).





REQUIRED PERMITS

- Wake County Environmental Services Approval Letter
- City of Raleigh Business License
- Outdoor Dining Permit
- NC ABC License (if alcoholic beverages are served)
- City Beer/Wine License (if alcoholic beverages are served)
- Outdoor Amplification Permit (if loudspeakers are to be used)

FEE SCHEDULE

Item	Fee
Wake County Environmental Services Approval Letter	Varies*
City of Raleigh Business License	Varies*
Outdoor Dining Annual Permit	\$150
NC ABC License (to serve alcoholic beverages)	Varies*
City Beer/Wine License	Varies*
Outdoor Amplification Permit (if needed)	\$200

* Fee varies with nature, type and size of business

PERMIT PROVISIONS

- Outdoor Dining permits are valid for one year (from July 1st through June 30th).
- All permit renewal applications have to be submitted by June 30th to the Downtown Permits Office.
- All Business License renewal applications have to be submitted by June 30th to the City of Raleigh Revenue Services Division.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- All issued permits are location-specific.
- Dining areas may be defined with approved fences, barriers, pots, or planters.
- The validity of annual outdoor dining permits supersedes that of special events approved by the City. Special event coordinators have to coordinate with businesses holding outdoor dining permits if the use of public spaces outside their businesses is likely to be affected by the upcoming special event.

Referrals to Encroachment Committee and Appeals

The Downtown Permit Office (DPO) coordinates the review of all permit requests outlined in this handbook. However, for a particularly complex permit request, or one of a potentially precedent-setting nature, the DPO staff may forward the request to the City's inter-departmental Encroachment Committee for expedited review. The

DPO will inform the applicant of such finding at the earliest possible date, and assist in scheduling the request before the committee. The Encroachment Committee meets the first and third Mondays of each month. The submittal deadline for the Committee agenda is generally two weeks before the meeting date. Please phone 516-2559 for additional details.

Additionally, if DPO staff members determine they cannot approve a given permit request, the applicant can elect to appeal that decision to the Encroachment Committee. If the Encroachment Committee denies the permit request, the decision may be appealed to the City Council through a Petition of Citizen. Details on filing Citizen Petitions can be obtained from the City Clerk's office by contacting 890-3040.

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I. D.3 of this handbook.
- Outdoor dining permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.
- If at any time, the Wake County Environmental Services revokes or suspends the issued permit, the City permit is revoked or suspended simultaneously.

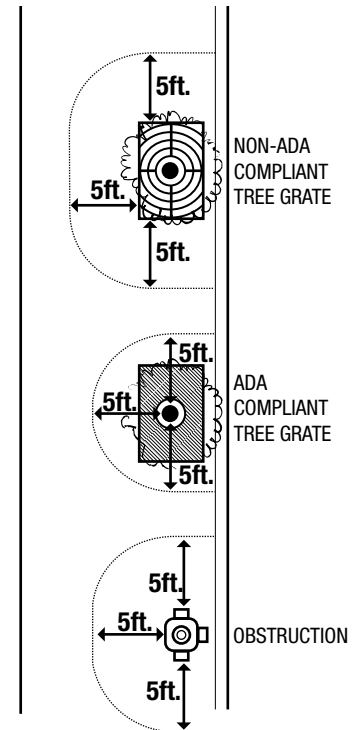
STANDARDS

For outdoor dining to be permitted within downtown public spaces, all of the following standards must be met:

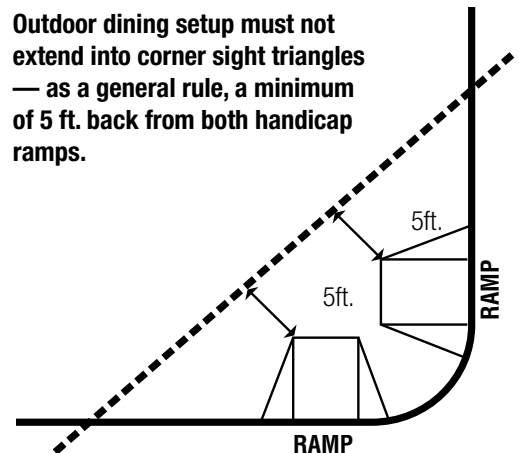
Location

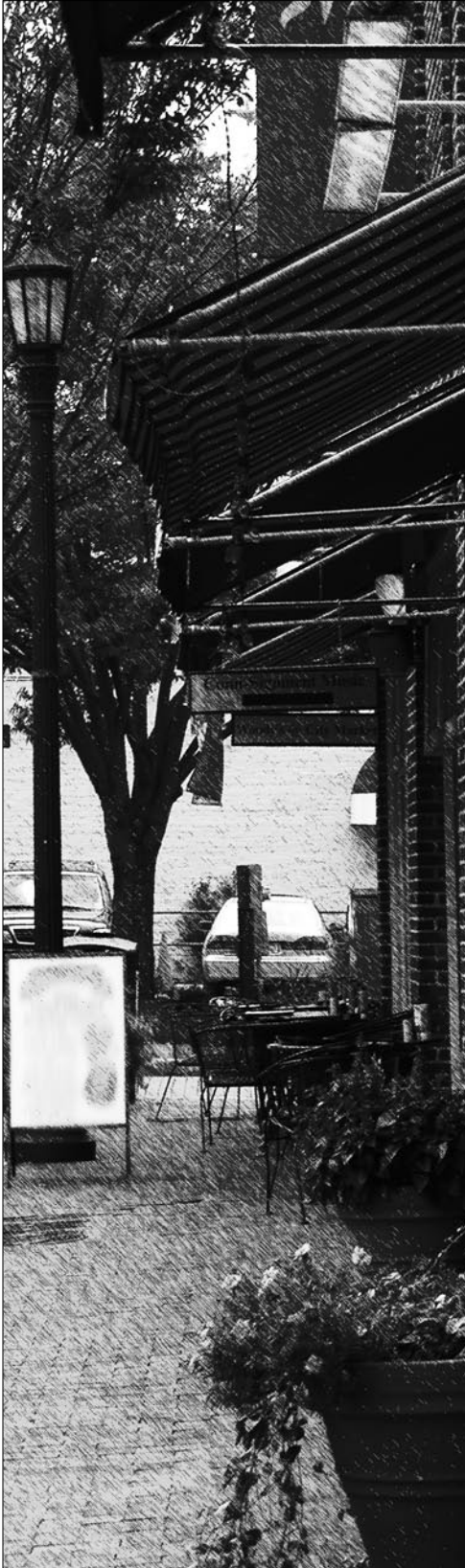
- Outdoor dining is limited to the area approved by the City as specified on the permit application.
- Dining area furniture may be located next to the curb (with 2 feet clearance) or adjacent to the building such that an unobstructed pedestrian corridor a minimum of 5 feet in width is maintained parallel to the street at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.
- Additional sidewalk clearance may be required where pedestrian traffic or other circumstances warrant.
- An unobstructed pedestrian corridor of a minimum of 5 feet in width straight out must be maintained between any restaurant entrance and the pedestrian corridor space.
- Clear unobstructed height of 7 feet must be maintained between the sidewalk surface and overhead objects including umbrellas.
- A minimum clearance of 5 feet must be maintained between the outdoor dining space and edge of driveways, alleys, and handicapped ramps.
- The outdoor dining space must not block access to public amenities like street furniture, trash receptacles, and way finding, or directional signs.
- Outdoor dining areas may locate in front of adjacent properties with the written permission of the adjoining property/ business owner. A copy of the agreement must be filed with the Outdoor Dining Permit application.
- Dining areas at corners must not extend to within sight triangles at street intersections.

Clear space requirements around tree grates and other obstructions.



Outdoor dining setup must not extend into corner sight triangles — as a general rule, a minimum of 5 ft. back from both handicap ramps.





Fayetteville Street Location Standards

Fayetteville Street has wider sidewalks and enhanced streetscape elements. Additional parameters apply for locating an outdoor dining space within the **Garden Zone** and the **Walking Zone** on Fayetteville Street.

- An unobstructed pedestrian corridor a minimum of 7 feet in width must be maintained parallel to the street at all times.

Design

- Furniture must be made of durable material. No plastic, or unfinished or pressure treated wood furniture is permitted.
- Planters or pots may be used to define the outdoor dining space but are not required.
- Perimeter fences though permitted are discouraged. Fences must not be solid or opaque, made of plastic or unfinished or pressure treated wood, or affixed to the ground.
- Tabletop signage is limited to menus and must not exceed 4 square feet in area.
- There can be no more than 2 umbrellas per table.
- The umbrellas must be fixed so as to leave a clear height of 7 feet from the sidewalk surface.
- Umbrellas are not allowed on tables located within 10 feet of block corners.
- Lighting must not cause glare to pedestrians or vehicular traffic.
- Lighting must not be affixed to city trees without a permit from the City of Raleigh Urban Forestry Division (contact 872-4155 for more information).

Operation

- Outdoor dining is permitted only in front of a restaurant property. However, with written permission from the adjacent property owner, the outdoor dining area can extend into the frontage of the adjacent property.
- Dining areas may be defined with approved fences or barriers or pots or planters.
- Waiters are permitted to access all pedestrian space between the building and the designated outdoor dining space to serve the diners.
- Tables, chairs, planters, and pots may remain in the designated outdoor dining area throughout the permit period. All umbrellas, signage, and other accessories, however, must be removed from the dining area at the close of business each day.
- Outdoor dining areas are permitted to be open from 6:00 a.m. to 4:00 a.m. daily.
- The outdoor dining operation must comply with all State and Local sanitary and health regulations. A copy of the State Rules Governing the Sanitation of Food Service Establishment (15 A NCAC 18A .2600) can be obtained at the link: **<http://www.deh.enr.state.nc.us/ehs/rules/t15a-18a.26.pdf>**.
- If at any time, the Wake County Environmental Services revokes or suspends the issued permit, the City permit is revoked or suspended simultaneously.
- A host stand and table top candles are allowed within the approved dining area. However, these accessories have to be removed from the dining area at the close of business.
- No tents or cash registers are permitted within the outdoor dining area.
- Outdoor dining areas cannot run electrical cords from the restaurant building or the city power receptacles.
- Where alcoholic beverages are served, the permit holder must comply with all State and Local regulations for the sale, possession, and/or consumption of alcoholic beverages.
- Loudspeakers are prohibited unless approved under an Outdoor Amplification Permit from the City.

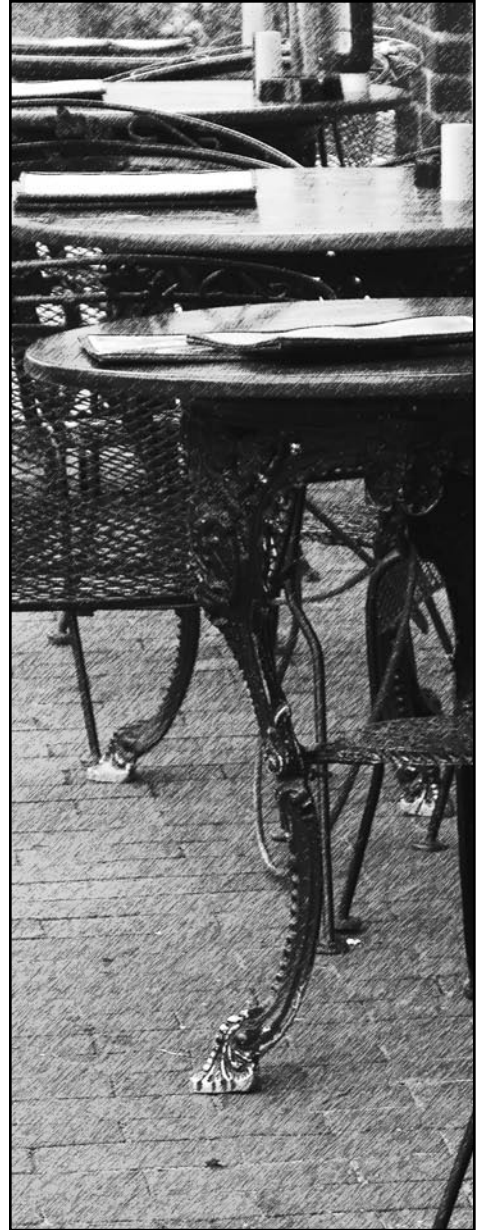
- Permits are not transferable to other individuals.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.

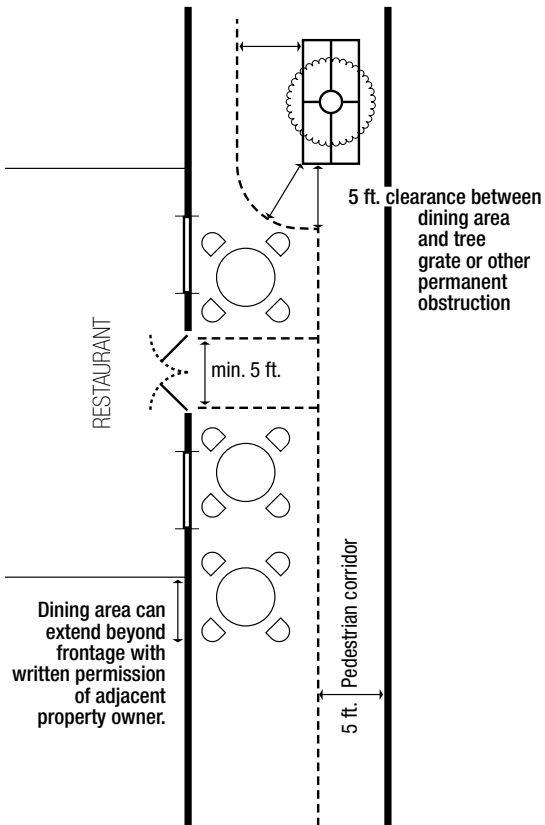
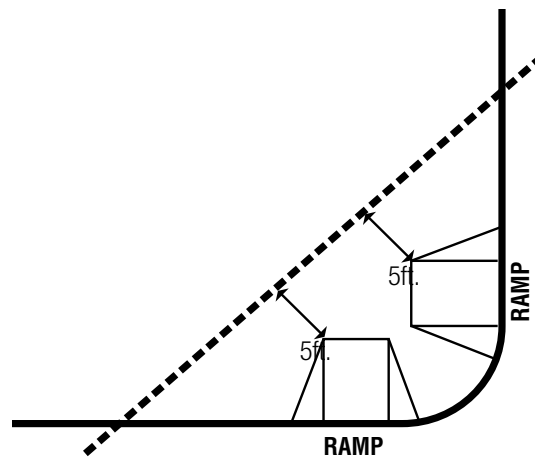
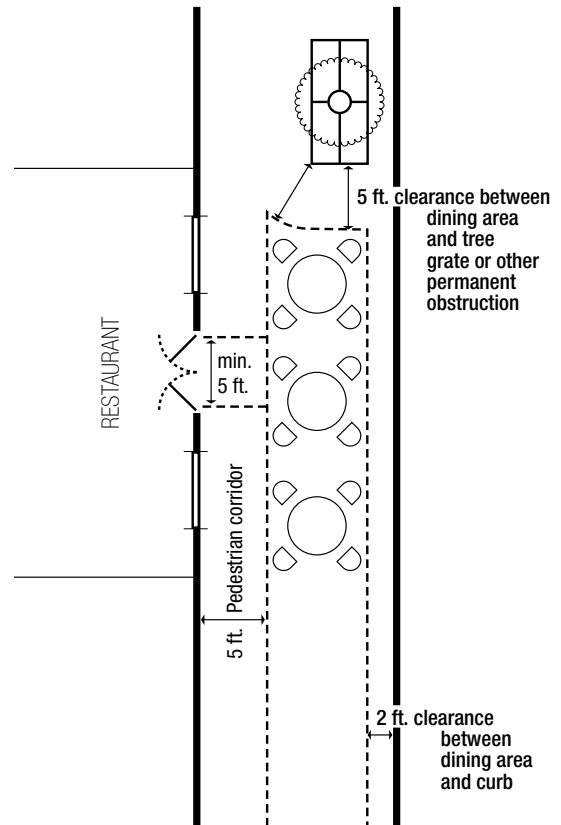
Maintenance

- The permit holder is responsible for keeping the immediate area covering 6 feet on all sides from the edge of the designated outdoor dining area clean of garbage, food debris, paper, cups, or cans associated with the operation of the outdoor dining space on a daily basis. All waste and trash must be properly disposed of by the permit holder.
- The permit holder is responsible for timely removal of snow and ice from the outdoor dining area as per the standards specified in the City publication *Fayetteville Street Renaissance Maintenance Partnership, Programs and Policies* (see Appendix Section 4). No ice-melt should drain into tree pits.
- The permit holder is responsible for the maintenance, upkeep, and security of furniture and accessories used in the outdoor dining area.
- Sidewalks within and adjacent to the outdoor dining area must be washed down and cleaned on a daily basis. Any stains from spills must be removed. Soiled pavement not able to be cleaned must be replaced by the permit holder, under the supervision of the Parks Department. Water and detergents used for cleaning must not drain into tree pits.
- Umbrellas and other outdoor dining area furniture must be kept clean, safe, and attractive.
- The permit holder is responsible for paying any costs resulting from damage to public space due to the outdoor dining operation. Repairs may be hired out to third parties. However, the permit holder is responsible to ensure that the contract work meets the city streetscape standards.

CHECKLIST

- ☐ Wake County Environmental Services Approval Letter
- ☐ City of Raleigh Business License
- ☐ Completed Outdoor Dining Permit Application
- ☐ Annual Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement
- ☐ NC ABC License (for alcoholic beverages)
- ☐ City Beer/Wine License (for alcoholic beverages)
- ☐ Outdoor Amplification Permit (when required)

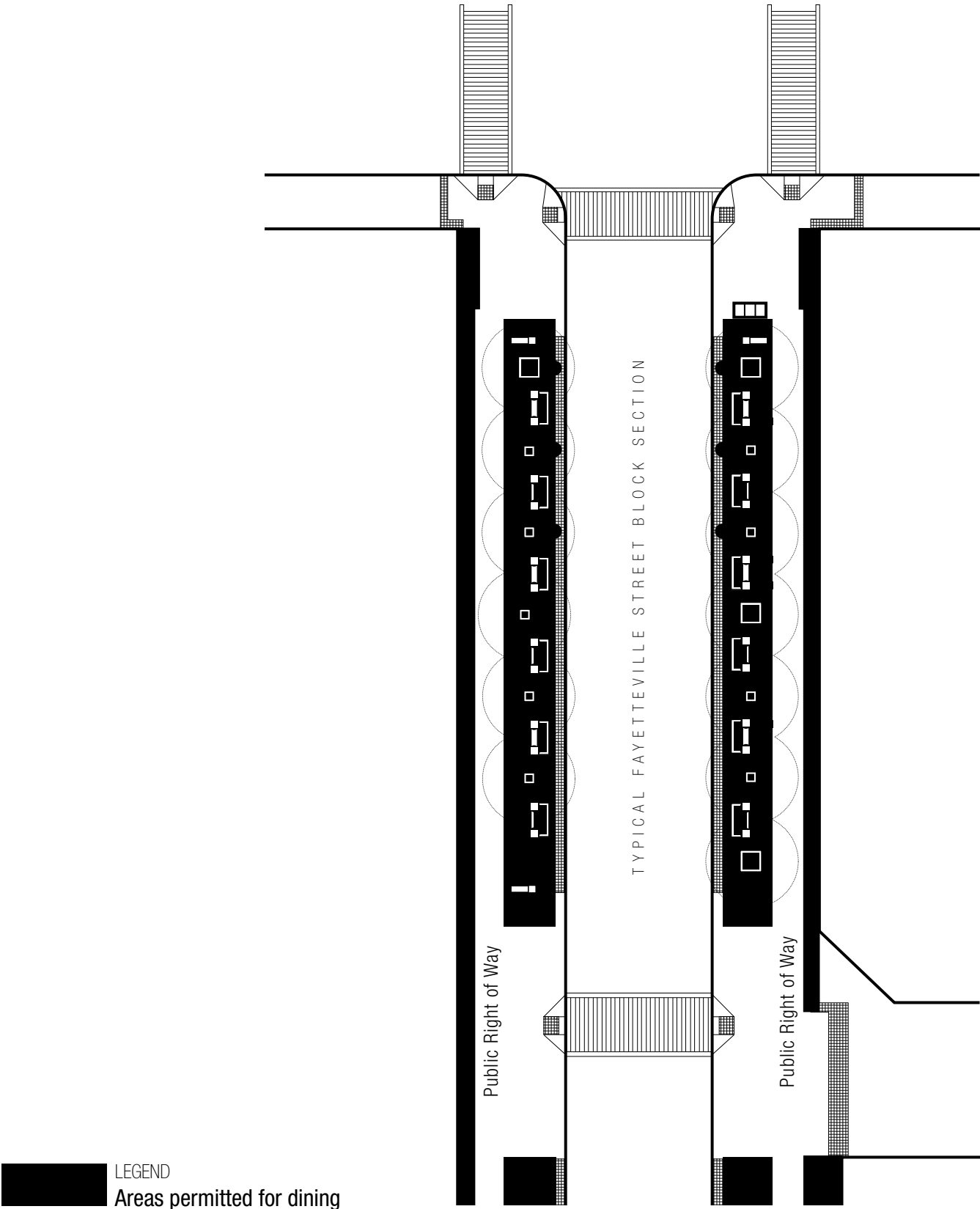


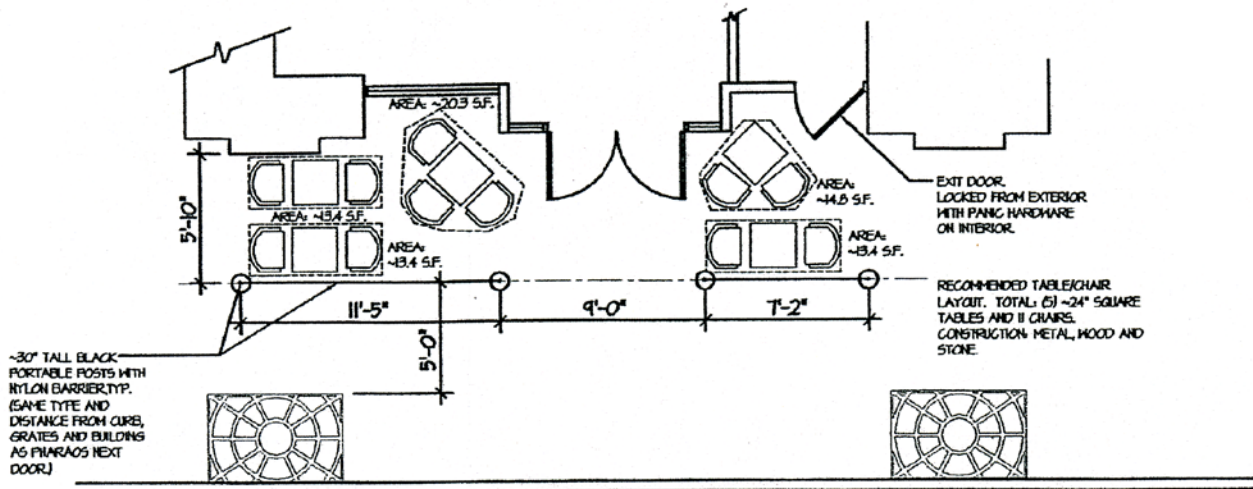
*Downtown Overlay District***OUTDOOR DINING: Location Parameters****Edge of Building****Next to Curb**

Tables and Chairs must be kept out of corner sight triangles — as a general rule, a minimum of 5 ft. back from both handicap ramps.

Fayetteville Street

OUTDOOR DINING: Permitted Locations





Furniture Layout
1/8" = 1'-0"

Sample Sketch Plan for Outdoor Dining

C. STREET PERFORMERS

DESIGN STRATEGY

Street performers add vibrancy to public spaces. Performers are encouraged to perform in downtown public spaces where pedestrian traffic is high and clear space is available for observation without blocking public access.

INTENT

It is the intent of the City to facilitate street performers to perform in certain locations, in balance with the needs of pedestrian and vehicular traffic for access throughout the downtown area.

APPLICATION PROCESS

Applications for Street Performer permits are obtained from the Downtown Permits Office. To be processed, each permit application must include:

1. A completed application form.
2. Fee payment (see table below).
3. The permit shall be issued immediately upon the completion of steps 1 and 2.

REQUIRED PERMITS

- Street Performance Permit

FEE SCHEDULE

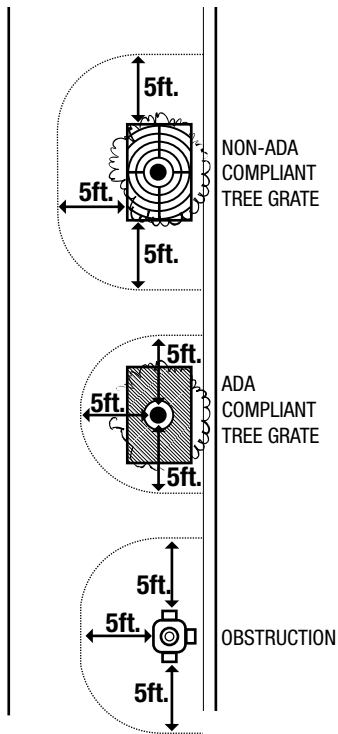
Item	Fee
Street Performance Annual Permit	\$40

PERMIT PROVISIONS

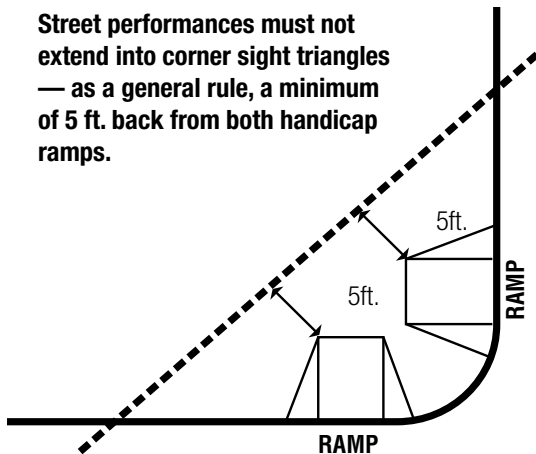
- Permits are valid for one year (from July 1st through June 30th).
- All permit renewal applications have to be submitted by June 30th to the Downtown Permits Office.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Special event permits supersede annual permits. In the advent of a special event approved by the City, annual permits are temporarily suspended. Street performance permit holders require special permission from the special event coordinator to perform within the designated special events area. The permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their business. For more details on Downtown Special Events, please contact the Downtown Raleigh Alliance at 832-1231. All latest information on Downtown events can be tracked at the following website: <http://www.godowntownraleigh.com/>
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- Details regarding appeals are provided in Section I.D.3 of this handbook.



Clear space requirements around tree grates and other obstructions.



Street performances must not extend into corner sight triangles — as a general rule, a minimum of 5 ft. back from both handicap ramps.



Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets or other public amenities that directly relate to the use of the permitted space.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For street performances to be permitted within downtown public spaces, all of the following standards must be met:

Location

- A minimum 5 foot-wide pedestrian corridor must be maintained on the sidewalk past a performance area at all times (7 feet on Fayetteville Street). Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.
- Performers must not perform in locations that obstruct the visibility of motorists (generally, within a line 5 feet back diagonally from the handicap ramps at each intersection).
- Street performances are excluded in public areas that are:
 - within construction areas,
 - within 400 feet of the boundary of any designated special events area without the granted written permission from the event sponsor/ coordinator, or
 - within a 5 foot radius of any building corner adjacent to a street intersection.
- Performers must not block access to any public benches, waste receptacles or other public amenities
- Performers must perform at a minimum distance of 5 feet from edge of any driveway, edge of a crosswalk, utility boxes or handicapped ramp.

Fayetteville Street Location Standards

- Performers are allowed only in specified areas: in the **Garden Zone** outside permitted outdoor dining areas, pedestrian malls and public plaza areas (for permitted locations refer to maps included).

Operation

- Noise levels must meet City Code requirements. Refer to Sec 12-5001 through 12-5011 of the City Code on noise regulations.
- Street performances are limited to the following hours in all public areas:
 - Monday through Thursday, between 8:00 a.m. and 10:00 p.m.,
 - Friday & Saturday, between 8:00 a.m. and 12:00 midnight, and
 - Sunday, between 12 noon and 10:00 p.m.
- A performer must not block pedestrian access through a public area. If a crowd blocks public access through public area, a police officer may disperse that

portion of crowd blocking pedestrian traffic.

- A performer must not obstruct access to private property, except with prior granted written permission from the adjoining property owner. A copy of the agreement must be filed with the permit application.
- A performer must not consume or be under the influence of alcoholic beverages or controlled substances while performing.
- A performer must not use power, electrical cords, or fire during their performance.
- A performer must not leave their performance equipment unattended on the permitted space for more than 10 minutes, unless during an emergency.
- Permits are not transferable or assignable.
- A performer must not use any device or sharp objects that are likely to pose a physical injury or public safety hazard.

Maintenance

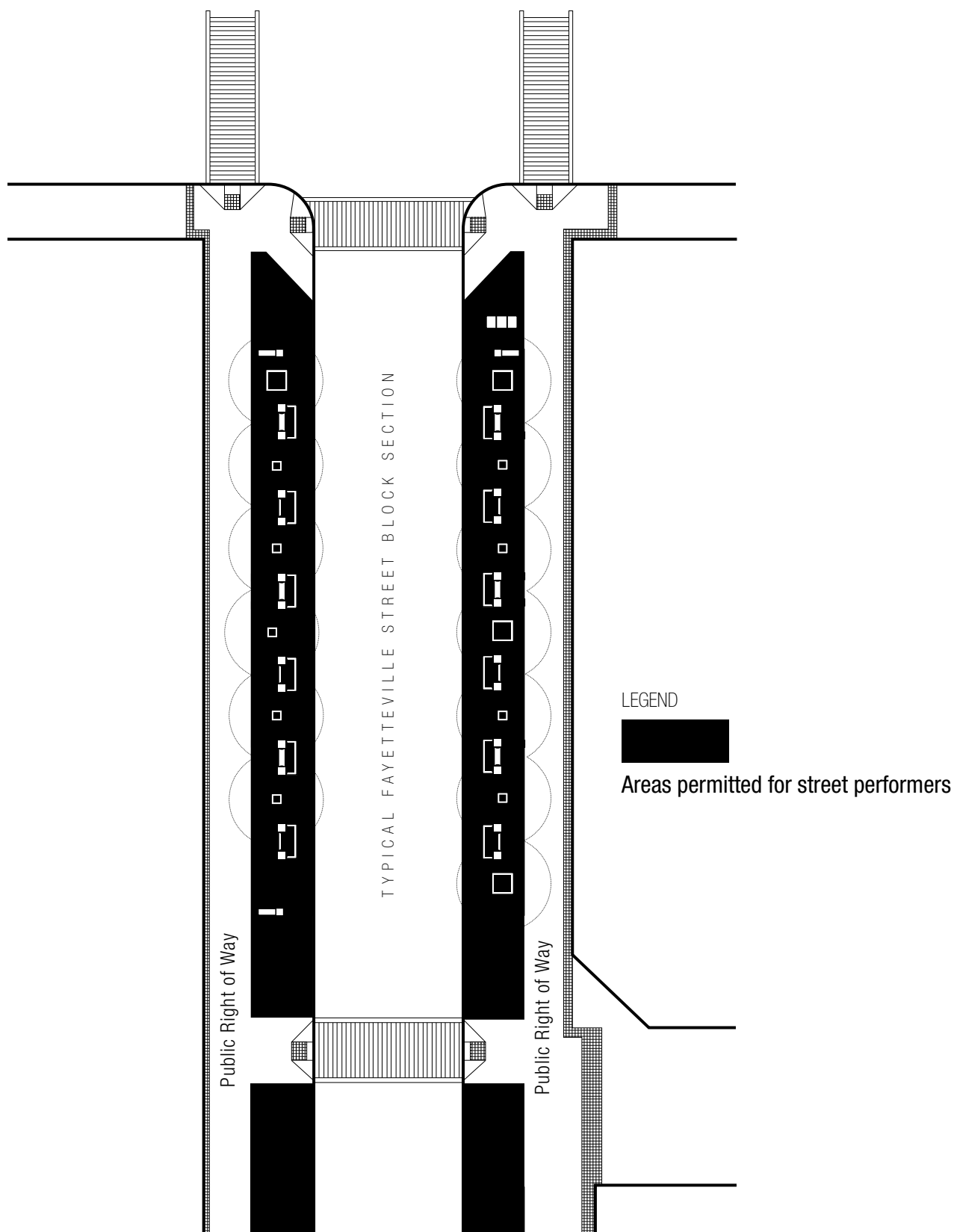
- After the performance, the performer is responsible for removing any debris, trash, or litter associated with the performance from the performance area.

CHECKLIST

- ☐ Completed Street Performance Permit Application
- ☐ Annual Fees

Fayetteville Street

STREET PERFORMERS: Permitted Locations



D. PUSHCART VENDING

DESIGN STRATEGY

Pushcart vendors enliven the pedestrian environment by providing convenience and a diversity of products at affordable prices. Pushcarts lend charm, vitality, and diversity to an active urban environment.

APPLICATION PROCESS

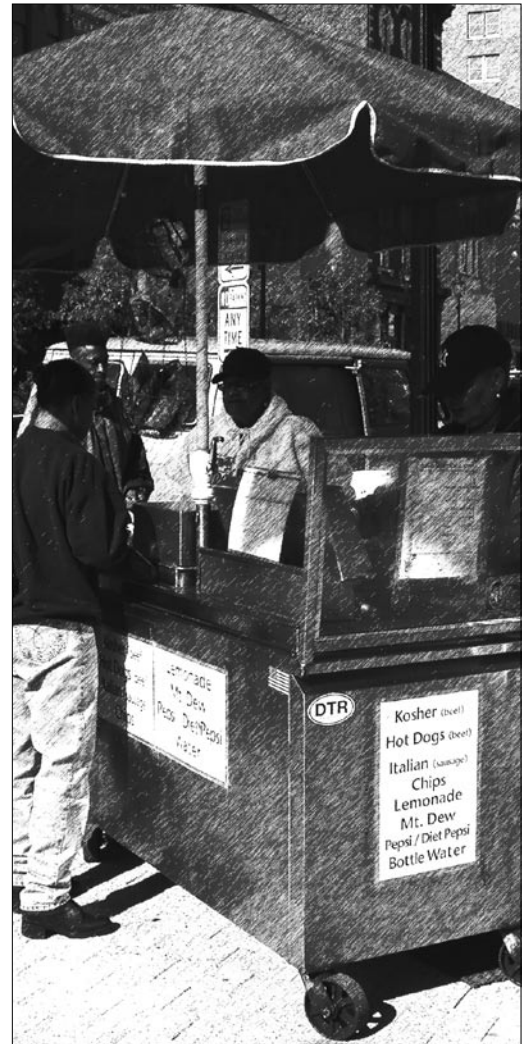
Applications for pushcart vending permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A Home Occupation Use Permit for home-based businesses (contact 516-2550 for more information).
2. A Food Vending Permit from the Wake County Environmental Services Department to ensure that the Local, State and Federal sanitary and health regulations are met (contact 856-7400 for more information).
3. A valid Business License from the City of Raleigh. Established businesses requesting permits may produce a copy of the active Business License and Proof of Insurance.
4. A scaled sketch plan or photographs showing proposed cart location, dimensions, and details of surrounding streetscape elements, covering 6 feet on all sides of the edge of the proposed **cart operation area** including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
5. A list of products to be offered for sale.
6. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
7. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement.).
8. Fee payment (see table below).
9. A Food Permit from the NC Department of Agriculture for those wishing to sell baked goods or ice cream (contact 733-7366 for more information).

Please Note: After acquiring the City permit, applicants are urged to get a NC Sales and Use Tax certificate from the State. Please contact 1-877-252-3052 for more information.

REQUIRED PERMITS

- Home Occupation Use Permit (*for home-based businesses*)
- Wake County Environmental Services- Vending Permit (*for food vendors only*)
- City of Raleigh Business License
- Pushcart Vending Permit
- NC State Agriculture Department- Food Vending Permit (*for baked goods and ice cream vending only*)



FEE SCHEDULE

Item	Fee
Home Occupation Use Permit	\$70
Wake County Environmental Services Approval Letter	Varies*
City of Raleigh Business License	\$25
Pushcart Vending Permit	\$60
NC State Agriculture Department- Food Vending Permit (for baked goods and ice cream vending)	Varies*

* Fee varies with nature, type and size of business

PERMIT PROVISIONS

- Pushcart Vending permits are valid for one year (from July 1st through June 30th).
- All permit renewal applications and Business License renewal applications must be submitted by June 30th to the Downtown Permits Office.
- If at any time, the Wake County Environmental Services revokes or suspends the issued food vending permit, the City permit is revoked or suspended simultaneously.
- At the time of annual permit renewal, the DPO will determine whether any business located within 50 feet of the proposed vending location is of a competing nature. Upon determining the competing status of the proposed vending location, applicant will be required to choose an alternative location for vending purposes.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- Special event permits supersede annual permits. During a special event approved by the City, annual permits are temporarily suspended. Carts are excluded within 400 feet of the edge of any special events area unless the annual permit holder is granted written permission from the event sponsor/ coordinator to set up within the designated event area. The permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their business. For more details on Downtown Special Events, please contact the Downtown Raleigh Alliance at 832-1231. All latest information on Downtown events can be tracked at the following website: <http://www.godowntownraleigh.com/>
- Current permit holders have the first advantage of selecting locations. Beyond that, permits will be allocated on a first-come, first-served basis for all qualifying locations.
- All issued permits are location-specific. If, within a given year of receiving permit, the applicant desires to change location of business, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.
- Details regarding appeals are provided in Section I.D.3 of this handbook.

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

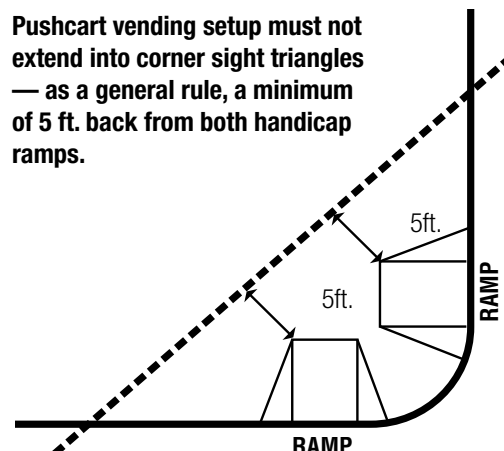
For pushcart vending to be permitted within downtown public spaces, all of the following standards must be met.

Location

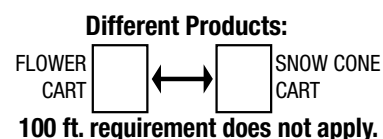
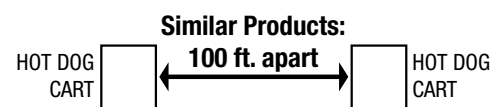
- Carts must not locate in any location that impedes, endangers, or interferes with pedestrian or vehicular traffic.
- All carts must operate in locations that are deemed **non-competing** to fixed-location businesses at a minimum of 50 feet away from a fixed establishment selling similar products excluding beverages. However, with the written permission from the fixed establishment, vendors can locate within 50 feet of such an establishment and sell similar products.
- Vending carts are excluded in public areas that are:
 - within construction areas,
 - within 400 feet of the boundary of any special events area without the granted written permission from the event sponsor/ coordinator, or
 - within a 5 foot radius of any building corner adjacent to a street intersection.
- Carts selling similar products or services are limited to two carts along a block section including both sides of the street and must be located a minimum of 100 feet from each other.
- Carts must not be locked or attached to trees.
- Food carts are not permitted to operate within 50 feet of an outdoor dining space along a street block face.
- Carts must be located at least 5 feet from the edge of any driveway, edge of a crosswalk, utility boxes and vaults, handicapped ramp, building entrances, exits or emergency access/ exit ways, or emergency call box.
- An unobstructed sidewalk pedestrian corridor of a minimum of 5 feet in width must be maintained parallel to the street at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.

Fayetteville Street Location Standards

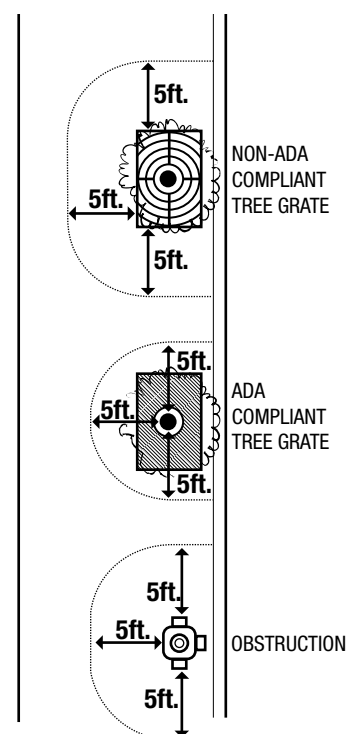
- An unobstructed pedestrian space a minimum of five feet must be maintained around the cart.
- An unobstructed pedestrian corridor a minimum of 7 feet in width must be maintained parallel to the street at all times.



Pushcart vending setup must not extend into corner sight triangles — as a general rule, a minimum of 5 ft. back from both handicap ramps.



Clear space requirements around tree grates and other obstructions.





Design

- All carts must be non-motorized with operable wheels. Persons with disabilities are permitted to use a motorized system to propel the pushcart.
- All carts must be self-contained with a waste receptacle. All equipment required for the operation (exceptions apply to food vendors for use of coolers), must be contained within the cart.
- Cart dimensions must not exceed 6 feet H. x 8-1/2 feet L. x 4 feet W.; total **cart operation area** must not exceed 36 square feet. Carts permitted prior to January 2007 are grandfathered.
- Cart umbrellas or canopies must be attached to the cart, and must not exceed 8 feet in height (above grade). Maximum umbrella diameter must not exceed 6 feet. Canopies must not extend more than 2 feet in any direction beyond the width and length of the cart. Umbrellas and canopies must not interfere with tree canopy, signage, or free movement of pedestrians.
- Carts are limited to 2 umbrellas each.
- Vendor pushcarts must be made of durable material and no plastic, unfinished, or pressure treated wood may be visible. All materials must be in accordance with all Local, State, Federal and Wake County Environmental Services rules and regulations.
- Pushcarts must be covered with an appropriate material to prevent exposure of food products to wind, dust, and insects and be in compliance with all applicable Local, State and Federal Health Department sanitary regulations. A copy of the *State Rules Governing the Sanitation of Food Service Establishment* (15 A NCAC 18A .2638-40) can be obtained at the link: <http://www.deh.enr.state.nc.us/ehs/rules/t15a-18a.26.pdf>
- Pushcarts and umbrellas must incorporate professional self-contained signage and meet other sign regulations in place (Refer to Sec. 12-1001 of the City Code for sign regulations). Total signage on carts must not exceed 24 square feet.
- No free-standing signage is permitted as part of the pushcart vending operation.

Operation

- Sales of goods and **merchandise** are limited to food and beverage items, fresh cut flowers, original artwork, and **handicrafts** produced by the **vendor/artisan**.
- All items being offered for sale must be confined to the cart.
- Food vendors are allowed to place a maximum of 3 coolers (a maximum capacity of 80 quarts) on the public space within the cart operation area. Coolers must be stored and stacked in such a manner so as not to create visual clutter.
- Pushcart vendors are limited to the use of one stool/ chair for seating purposes within the cart operation area. No seating is allowed for patrons.
- Pushcarts must not be stored, parked, or left overnight on any street, sidewalk, or in any parking space of the city.
- Hours of operation of vending carts are limited to the hours between 6:00 a.m. and 4:00 a.m.
- Carts must be removed from the location between 4:00 a.m. and 6 a.m.
- Pushcart operator or his/her designee must be present at the pushcart at all times except in cases of an emergency.
- Permits are not transferable or assignable.
- The waste water disposal standards of the Local and State sanitary regulations must be met for the cart operation. A copy of the *State Rules Governing the Sanitation of Food Service Establishment* (15 A NCAC 18A .2638-40) can be obtained at the link: <http://www.deh.enr.state.nc.us/ehs/rules/t15a-18a.26.pdf>

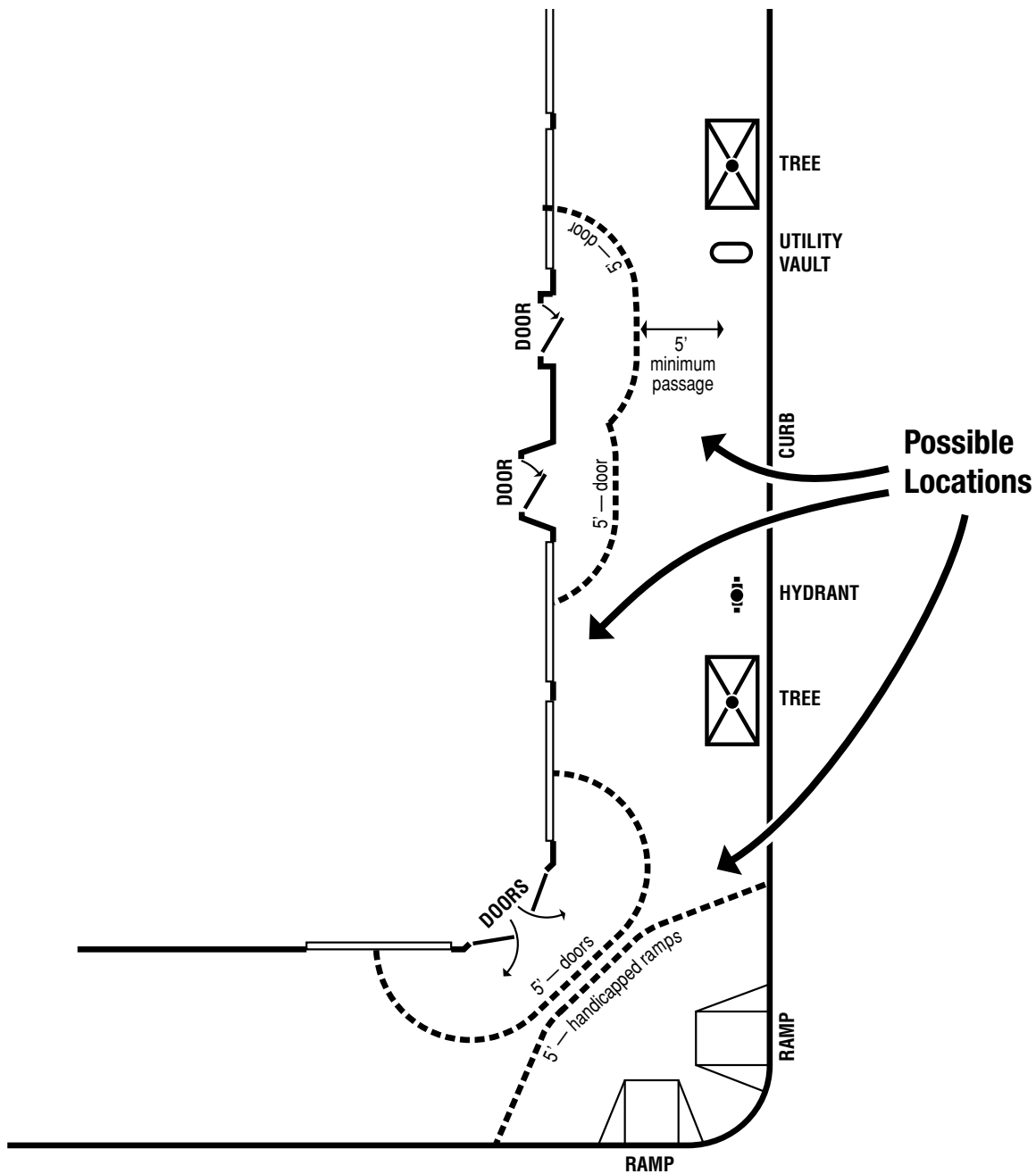
- If at any time, the Wake County Environmental Services revokes or suspends the issued food vending permit, the City permit is revoked or suspended simultaneously.

Maintenance

- The pushcart vendor is responsible for the proper disposal of waste and trash associated with the operation. The vendor must keep the immediate area covering 5 feet on all sides measured from the perimeter of the pushcart, clean of grease, trash, paper, cups, coolers, or cans associated with the vending operation.
- No liquid waste or grease is to be disposed in tree pits or onto the sidewalks, streets, or other public space.

CHECKLIST

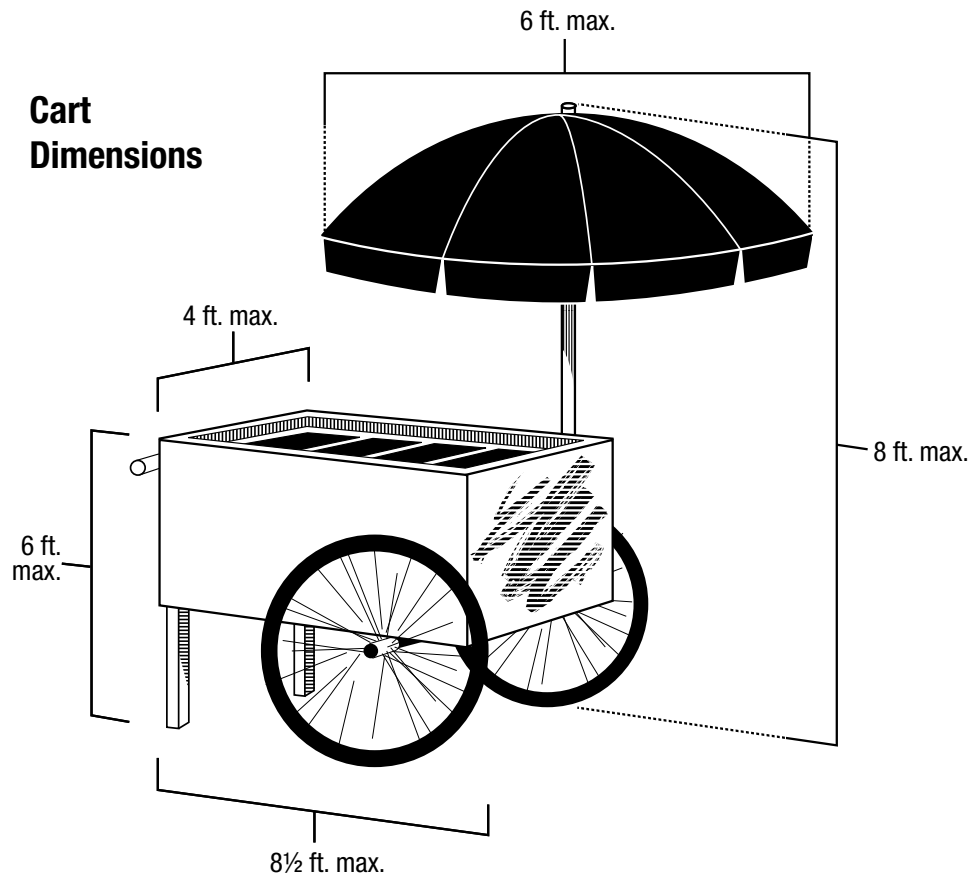
- ☐ Home Occupation Use Permit (*for home-based businesses*)
- ☐ Wake County Environmental Services- Vending permit (*for food vendors only*)
- ☐ City of Raleigh Business License
- ☐ Completed Pushcart Vending Application
- ☐ Annual Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement
- ☐ NC State Agriculture Department- Food Vending Permit (*for baked goods and ice cream vending only*)

*Downtown Overlay District***PUSHCART VENDING: Location Parameters**

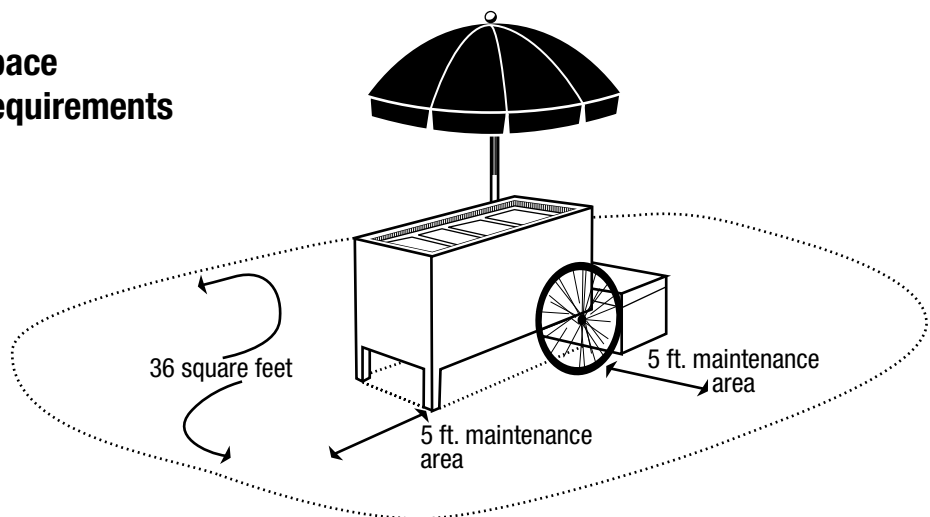
Downtown Overlay District

PUSHCART VENDING: Design and Operation Parameters

Cart Dimensions



Space Requirements



E. MAIL DROP-OFF BOXES

DESIGN STRATEGY

To provide easy access to mail drop-off services, without their respective cabinets becoming visually obtrusive or a physical impediment.

APPLICATION PROCESS

Applications for Mail Drop-off Box permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A valid Business License from the City of Raleigh. Established businesses requesting permits may produce a copy of the active Business License and Proof of Insurance.
2. A scaled sketch plan or photographs showing box location and surrounding streetscape details covering 6 feet on either side of the proposed box location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
3. Photographs and any other supporting materials showing the style, type, material, and dimension details of the proposed box.
4. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
5. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
6. Fee payment (see table below).

Please Note: Individual businesses requesting permits for use of public spaces may produce a single copy of the valid Business License and Proof of Insurance for placing boxes in multiple locations.

REQUIRED PERMITS

- City of Raleigh Business License
- Mail Drop-off Box Permit

FEE SCHEDULE

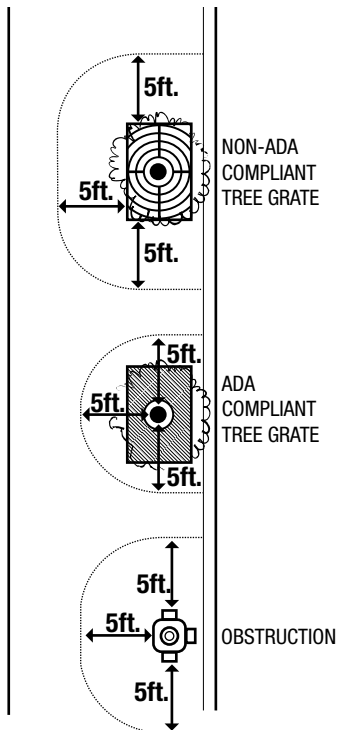
Item	Fee
City of Raleigh Business License	Varies*
Mail Drop-off Box Annual Permit	\$15 (per unit)

* Fee varies with nature, type and size of business

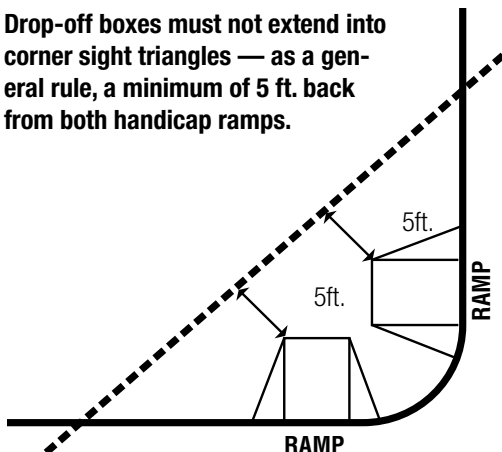
PERMIT PROVISIONS

- Drop-off Box permits are valid for one year (from July 1st through June 30th).
- All permit renewal applications have to be submitted by June 30th to the Downtown Permits Office.
- All Business License renewal applications have to be submitted by June 30th to the City of Raleigh Revenue Services Division.



Clear space requirements around tree grates and other obstructions.

Drop-off boxes must not extend into corner sight triangles — as a general rule, a minimum of 5 ft. back from both handicap ramps.



- At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Permit holders may be required to remove boxes temporarily to allow street, sidewalk or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- All issued permits are location-specific. If within a given year of receiving permit, the applicant desires to change location, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.

Violations

- The City of Raleigh Inspections Department notifies permit holders of any violations.
- The permit holder is responsible for remedying the violation within 10 working days of receiving the violation notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Any box installed, used or maintained in violation of the standards and procedures, or left abandoned for more than 30 days will be tagged with a notice of violation stating the violation, date of tagging, and notice of intention to remove the box if the violation is not corrected within 10 working days.
- The Inspections Department staff may, as an alternative to tagging the box, move, align, or reposition boxes in order to restore them to a legal condition.
- Any box which has been tagged and remains in violation past the 10-day correction period shall be removed by the Inspections Department staff and stored in a secure location. Staff shall mail a notice of removal to the permit holder stating the date the box was removed and the reasons for the action. Any box thus removed and stored shall be released to the owner if claimed within 45 days after removal and upon payment of a fine of \$200.
- If a removed box is not claimed by the permit holder within the 45-day time period, the box will be deemed unclaimed property in possession of the Police Department.

STANDARDS

For drop-off boxes to be permitted within downtown public spaces, all of the following standards must be met:

Location

- No more than three free-standing drop-off boxes are permitted in any qualifying location. Only one such location is permitted per street block face.
- Individual businesses are permitted only one box per qualifying location per **street block face**.
- Boxes must be located such that an unobstructed pedestrian corridor a minimum of 5 feet in width is maintained parallel to the street at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.
- Boxes must be placed at least 5 feet from any fire hydrant, edge of street curb, edge of driveway cut, edge of crosswalk, utility boxes and vaults, edge of handicapped ramp, public benches, trash receptacles, building access, exits or emergency access/ exit ways, or emergency call box.
- Boxes must not be located within a 5 foot radius of any building corner at a street intersection.
- The rear of a box can be no more than 6 inches from the edge of the private property line parallel to the street.

Fayetteville Street Location Standards

- Drop-off boxes are not permitted to locate along Fayetteville Street.

Design

- Single drop-off boxes can be no larger than 54"h. x 30"w. x 36"d.
- Only metal boxes are permitted.
- Boxes must be weather sealed.
- Second-party advertising is not allowed on the boxes.
- Boxes must not be attached to a building, any city tree, or sidewalk.

Operation

- Boxes must display the times of pick-up in a visible location.
- Boxes must not block building display windows without the written consent of the adjoining property/ business owner. A copy of the agreement must be filed with the application.

Maintenance

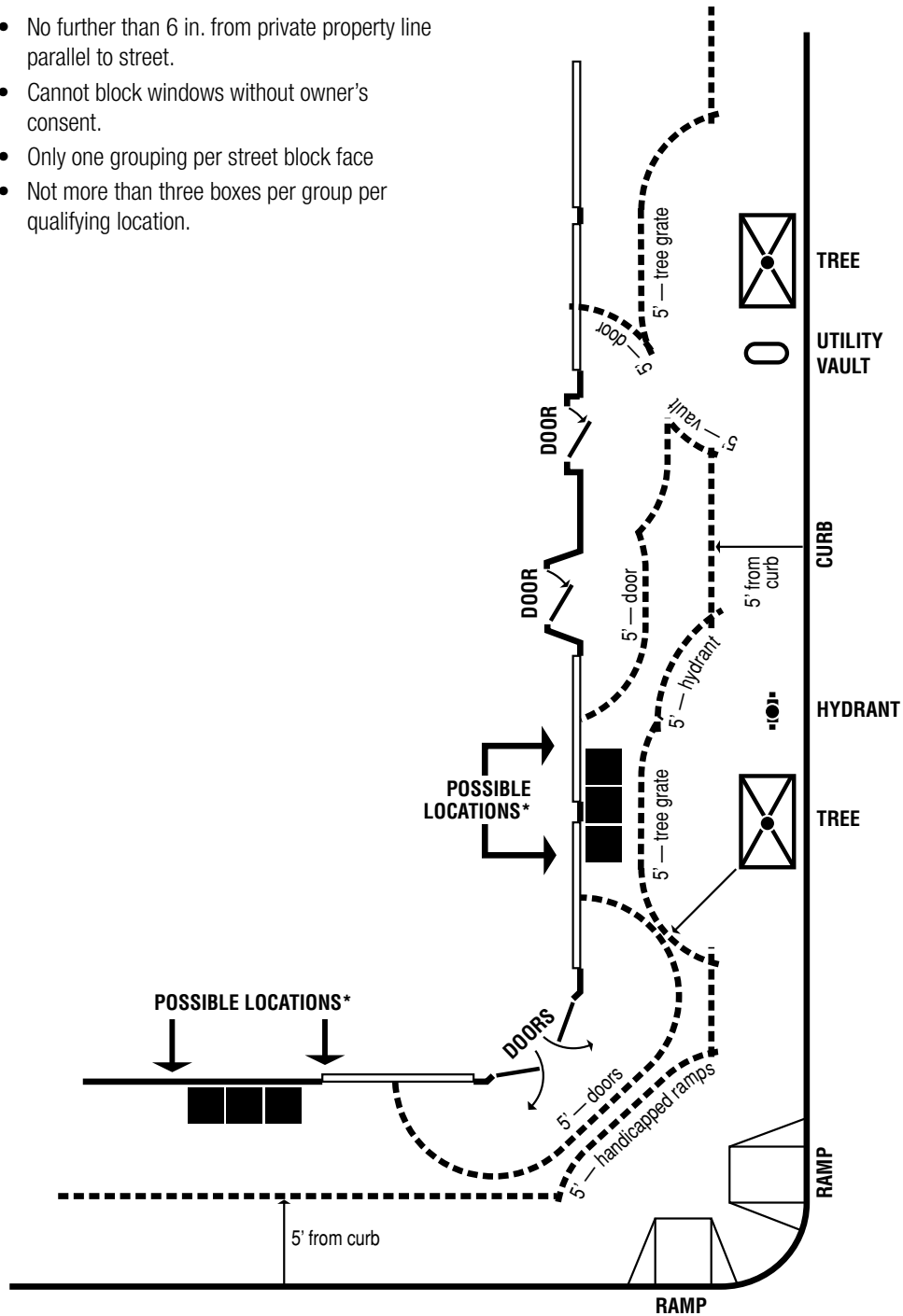
- The permit holder is responsible for the maintenance, repair and upkeep of the drop-off boxes. Boxes must be kept:
 - reasonably free of dirt and grease,
 - reasonably free of chipped, faded, peeling, and cracked paint,
 - reasonably free of rust,
 - structural parts in good working order,
 - free of graffiti,
 - free of third party advertising stickers or fliers, and
 - parts must be reasonably free of cracks, dents, scratches, abrasion, and discoloration.
- The permit holder is responsible for paying any costs resulting from damage to public space due to the installation or operation of the drop-off boxes.

CHECKLIST

- ☐ City of Raleigh Business License
- ☐ Completed Mail Drop-off Box Permit Application Form
- ☐ Annual Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement

*Downtown Overlay District***MAIL DROP-OFF BOXES: Location Parameters**

- No further than 6 in. from private property line parallel to street.
- Cannot block windows without owner's consent.
- Only one grouping per street block face
- Not more than three boxes per group per qualifying location.



F. MINOR ENCROACHMENTS

ENCROACHMENTS are defined as the use, placement, or extension of private uses into, upon, over, or under public space or a publicly-owned property.

MAJOR ENCROACHMENTS are defined as uses of mostly permanent nature that may have long-term impact on public space and may not be easily removed. These requests are handled through the City's Encroachment Committee (contact 516-2559 for more information).

MINOR ENCROACHMENTS are defined as uses of mostly temporary or minor nature, posing little long-term physical impact on public space and which can be removed with relative ease if desired. The standards herein apply to the following minor encroachments:

- 1) Outdoor Merchandise
- 2) Street Furniture and Accessories
- 3) Awnings
- 4) Exterior Building and Accent Lighting
- 5) Overhead Signage
- 6) A-Frame Signage

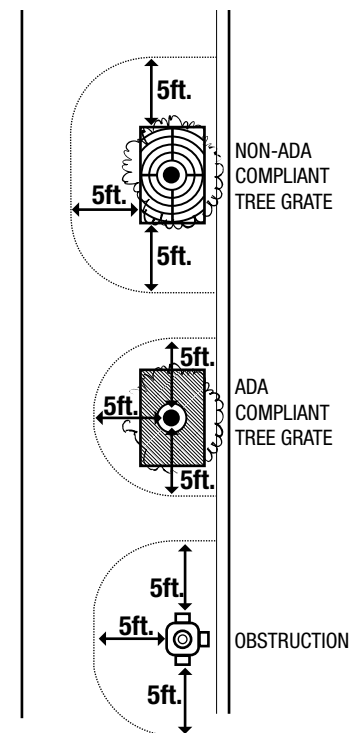
STANDARDS FOR ALL MINOR ENCROACHMENTS:

Minor encroachments cannot be placed, connected, attached, fastened, installed, used, erected, or maintained in public space without the appropriate permits. To be approved, any minor encroachment must meet the following standards:

- cannot be easily sited on the private property due to physical constraints,
- must not locate:
 - within 5 feet of public signs, utility boxes/ vaults, or areas regularly serviced by City Departments,
 - within 5 foot radius of any building corner adjacent to a street intersection,
 - within 5 foot radius of tree grates,
 - Within 5 feet of a fire hydrant, or
 - at any location where unobstructed passage for pedestrian traffic is reduced to less than 5 feet (7 feet on Fayetteville Street). Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk, and
- must not block access to public street furniture and other amenities.

Referrals to Encroachment Committee and Appeals

The Downtown Permit Office (DPO) coordinates the review of all permit requests outlined in this handbook. However, for a particularly complex permit request, or one of a potentially precedent-setting nature, the DPO staff may forward the request to the City's inter-departmental Encroachment Committee for expedited review. The DPO will inform the applicant of such finding at the earliest possible date, and assist in scheduling the request before the committee. The Encroachment Committee meets the first and third Mondays of each month. The submittal deadline for the Committee agenda is generally two weeks before before the meeting date. Please phone 516-2559 for additional details.



Clear space requirements around tree grates and other obstructions.



Additionally, if DPO staff members determine they cannot approve a given permit request, the applicant can elect to appeal that decision to the Encroachment Committee. If the Encroachment Committee denies the permit request, the decision may be appealed to the City Council through a Petition of Citizen. Details on filing Citizen Petitions can be obtained from the City Clerk's office by contacting 890-3040.

CAUTION: Special Care Is Required Around City Street Trees

Trees planted on City property within the Downtown Overlay District and on Fayetteville Street represent an asset that is collectively owned and maintained by the City of Raleigh for the benefit of all. Maintenance activities will not be permitted or undertaken that will negatively impact the uniformity of a streetscape or the health of the trees. Maintenance activities undertaken by City of Raleigh staff on city owned trees are limited to procedures intended to provide minimum clearances around streetlights, traffic signals and signs, and for pedestrian and vehicular passage. Other categories of pruning would be for clearance of rooflines and facades, and for the removal of dead, broken, or crossed branches. All pruning must be done in strict accordance with City standards. Those wishing to undertake maintenance activities on city-owned trees within the DOD trees must first obtain a Vegetative Impact Permit from the Urban Forester (contact 872-4115) and must abide by all conditions detailed therein. Permit requests may be denied if the health of the tree or the appearance of the streetscape would be negatively impacted by the proposed activity. No private maintenance activities will be permitted on city-owned trees on Fayetteville Street.

NOTE: Minor Encroachments which are part of building facade improvements may qualify for Façade Grant assistance.

The City's Façade Rehabilitation Grant Program helps businesses and property owners in downtown and nearby older commercial areas upgrade and improve their building's exterior appearance to create an attractive environment for innovations and business activities. Qualifying improvements include removal of false fronts (such as aluminum panels), repair or replacement of windows, doors and cornices, repair or replacement of façade materials, signage, awnings, exterior lighting, exterior painting (when part of a larger rehab effort) and architectural projections that are within 2 feet of the façade of the building. For more information on the Façade Grant Program, see Appendix Section 6.

All Minor Encroachment Permits are issued at the Downtown Permits Office. Façade Grant Permits are issued at the Raleigh Urban Design Center (contact 807-8482 for more information).

F-I. MINOR ENCROACHMENTS: Outdoor Merchandise

DESIGN STRATEGY

The display of goods for sale outside of a storefront transitions activity from private property to the public space. Outdoor **merchandise** displays add color and vibrancy to a pedestrian environment and generate economic activity.

APPLICATION PROCESS

Applications for Outdoor Merchandise Display Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A valid Business License from the City of Raleigh. Established businesses requesting permits may produce a copy of the active Business License and Proof of Insurance.
2. A sketch plan or photographs showing proposed outdoor merchandise location and surrounding streetscape details covering 6 feet on either side of the proposed location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
3. Description of outdoor merchandise to be displayed.
4. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
5. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
6. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.

REQUIRED PERMITS

- City of Raleigh Business License
- Minor Encroachment Permit

FEE SCHEDULE

Fee Item	Fee
City of Raleigh Business License	Varies*
Minor Encroachment Permit	\$150
Annual Renewal Fee	\$50

* Fee varies with nature, type and size of business



PERMIT PROVISIONS

- Outdoor merchandise permits are valid for one year from July 1st through June 30th.
- All permit renewal applications have to be submitted by June 30th to the Downtown Permits Office.
- All Business License renewal applications have to be submitted by June 30th to the City of Raleigh Revenue Services Division.
- Building owners and tenants can sell merchandise on public spaces with an Outdoor Merchandise Permit. Those wishing to sell merchandise in public space when it is not associated with a building or storefront must obtain Street Vending Permits.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- Special event permits supersede annual permits. During a special event approved by the City, annual permits are temporarily suspended. The annual permit holder is required to attain granted written permission from the event sponsor/ coordinator to set up on sidewalks within the designated event area. The permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their business. For more details on Downtown Special Events, please contact the Downtown Raleigh Alliance at 832-1231. All latest information on Downtown events can be tracked at the following website:
<http://www.godowntownraleigh.com/>
- All issued permits are location-specific. If within a given year of receiving permit, the applicant desires to change location of business, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For outdoor merchandise displays to be permitted within downtown public spaces, all of the following standards must be met:

Location

- Outdoor displays are limited to within 6 feet of the associated building facade.
- Display is permitted only in front of the associated retail business storefront, adjacent to the building wall, and on the same side of the street.
- Displays must maintain a 3 foot wide pedestrian corridor straight out from any entrance or exit.
- An unobstructed pedestrian corridor a minimum of 5 feet in width must be maintained parallel to the street at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.
- No items can be hung on or attached to street trees.

Fayetteville Street Standards

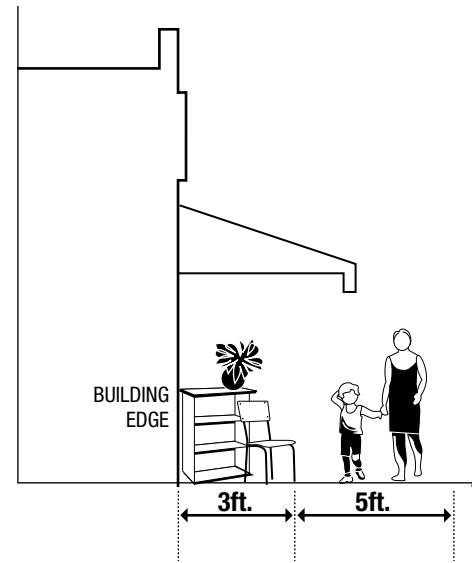
- Outdoor merchandise is allowed as long as an unobstructed 7 foot-wide pedestrian corridor is maintained parallel to the street at all times.

Design

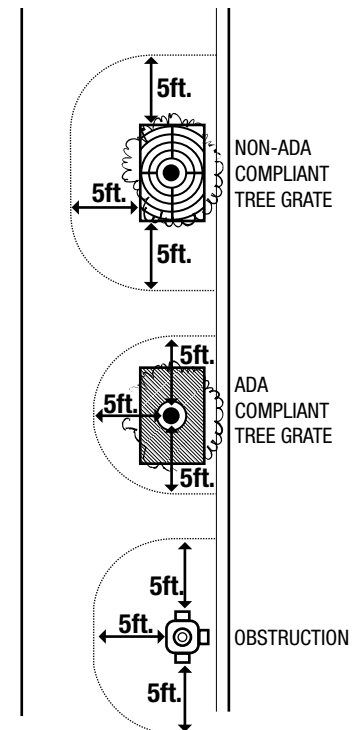
- No merchandise may be attached to the sidewalk or streetscape elements.
- All merchandise and display units must be secured to the display stands so that they do not dislodge during windy conditions.
- Outdoor display units must be stable and not easily tipped over.
- Outdoor merchandise on display must not include any objects with sharp edges, protrusions, or other features which may be hazardous to the public.

Operation

- Merchandise must not impede, endanger, or interfere with pedestrian or vehicular traffic.
- Building entrances and exits where an outdoor merchandise display area is located must remain unobstructed at all times.
- Outdoor merchandise on display must not block regulatory signs, crosswalks, or intersections.
- Outdoor display of goods and merchandise are limited to the items sold within the retail establishment.
- No shopping carts are allowed as part of the outdoor merchandise display.
- All outdoor displays must be removed from public space at the close of business and during inclement weather conditions.



Clear space requirements around tree grates and other obstructions.



Maintenance

- The permit holder is responsible for keeping the permitted outdoor **merchandise area** clean of garbage, trash, or litter associated with the outdoor display of merchandise.
- The permit holder is responsible for the maintenance, upkeep, and security of the display area and the merchandise on display.

CHECKLIST

- ☐ City of Raleigh Business License
- ☐ Completed Minor Encroachment Application (*check “Outdoor Merchandise”*)
- ☐ Fees (Renewed Annually)
- ☐ Proof of Insurance
- ☐ Indemnity Agreement

F-2. MINOR ENCROACHMENTS: Street Furniture & Accessories

DESIGN STRATEGY

Private street furniture and accessories add to the distinctive look of a building or storefront. While some street furniture is provided by the city, the property owners can enhance the pedestrian realm with the use of pots, planters, benches, or public art. Pots and planters in front of storefronts contribute color and soften the street. Public art provides visual interest for pedestrians and creates a sense of place and identity.

APPLICATION PROCESS

Applications for Street Furniture Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A sketch plan or photographs showing proposed street furniture location and surrounding streetscape details covering 6 feet on either side of the proposed location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
2. Details of the street furniture – photographs, dimensions, and materials specifications.
3. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
4. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
5. Fee payment (see table below).

Please Note:

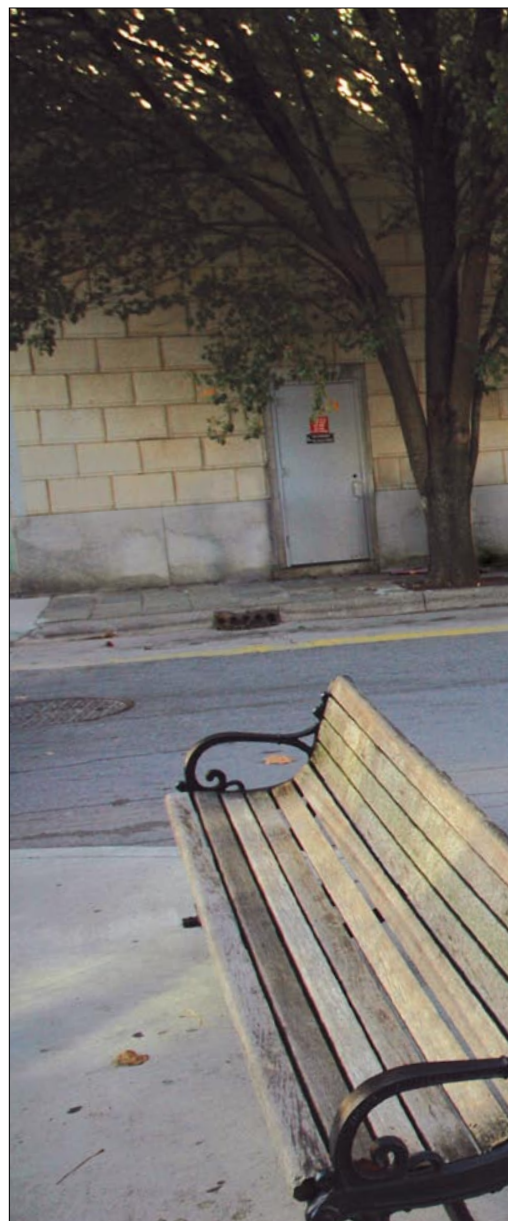
- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.

REQUIRED PERMITS

- Minor Encroachment Permit

FEE SCHEDULE

Item	Fee
Minor Encroachment Permit (one-time)	\$150





PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- The standards in this section do not apply to furniture placed as part of a valid Outdoor Dining Permit.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- All issued permits are location-specific. If within a given year of receiving permit, the applicant desires to change location of business, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.
- Special event permits supersede annual permits. During a special event approved by the City, annual permits are temporarily suspended. The annual permit holder is required to attain granted written permission from the event sponsor/ coordinator to set up on sidewalks within the designated event area. The permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their business. For more details on Downtown Special Events, please contact the Downtown Raleigh Alliance at 832-1231. All latest information on Downtown events can be tracked at the following website:
<http://www.godowntownraleigh.com/>

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For street furniture and accessories to be permitted within downtown public spaces, all of the following standards must be met:

Location

- Street furniture must be placed directly in front of the property and on the same side of the street no further than 3 feet out from the façade.
- Street furniture must not be attached to trees.

- An unobstructed sidewalk space 5 feet wide must be maintained parallel to the street for pedestrian traffic at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.

Fayetteville Street Standards

- An unobstructed pedestrian corridor a minimum of 7 feet in width must be maintained parallel to the street at all times.

Design

- Street furniture and accessories must be constructed of durable materials, which do not harm streetscape materials such as pavers or landscaping in any way. Plastic or unfinished wood is forbidden.
- Pots and planters must not be more than 36 inches tall (excluding plant height).

Operation

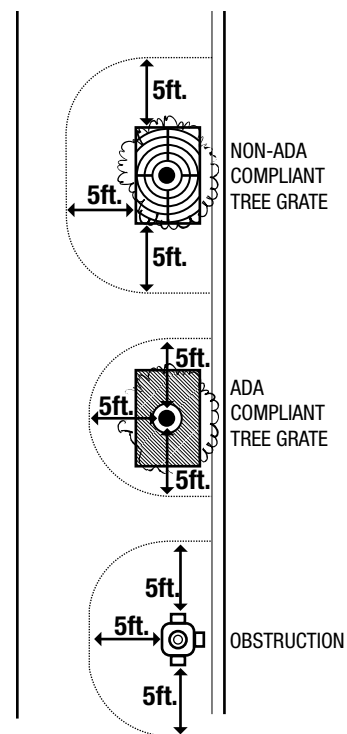
- All street furniture and accessories must be removable for periodic maintenance of public space.
- Private furnishings such as benches are allowed in public space only if the back of the benches are within 6 inches of the building façade.
- Street furniture and accessories must not block pedestrian access to and visibility of building entrances.

Maintenance

- The permit holder is responsible for the maintenance, upkeep and security of street furniture and related accessories.
- Repairs or replacement must be completed within 10 days of discovery.

CHECKLIST

- ☐ Completed Minor Encroachment Application (*check "Street Furniture"*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement



Clear space requirements around tree grates and other obstructions.

F-3. MINOR ENCROACHMENTS:

Awnings

DESIGN STRATEGY

Awnings are a highly effective means of enhancing a retail streetscape. They also create shelter from inclement weather and minimize heat gain inside of buildings. They aid in storefront recognition and help pedestrians view merchandise in the storefront windows by reducing glare.

APPLICATION PROCESS

Applications for Awning permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A Building Permit from the City Inspections Department (contact the Downtown Permits Office at 516-2550).
2. A Vegetative Impact Permit from the Urban Forestry Division (contact 872-4115), if the installation of awnings is likely to impact City trees. The Urban Forestry Division must be notified prior to the installation of any building encroachments. No pruning of City trees is permitted until a Vegetative Impact Permit is approved.
3. A Facade Grant application if awnings are installed as part of Façade Grant work (contact 807-8482 for more information).
4. At least two sketches or photographs of the building facade - one directly from the front, and another from one side showing where the awnings are to be installed, their finished height above the sidewalk, and all streetscape materials (trees, signs, etc.) and building features (exterior lighting, signs, etc.) within 6 feet of the installed awnings.
5. Details of the awnings themselves, including dimensions, materials and framing, color(s), and associated signage (if any).
6. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
7. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
8. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.



REQUIRED PERMITS

- Building Permit
- Minor Encroachment Permit
- Vegetation Impact Permit (if needed)

FEE SCHEDULE

Item	Fee
Building Permit	\$70
Minor Encroachment Permit (one-time)	\$150
Vegetation Impact Permit (If needed)	\$60

PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- **NOTE:** The City Façade Rehabilitation Grant Program provides limited matching grants for installation of awnings(contact the Urban Design Center at 807-8482 for details).

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

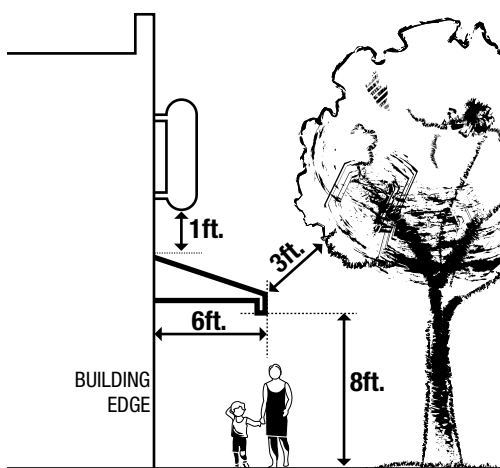
For awnings to be permitted within downtown public spaces, all of the following standards must be met:

Location

- The bottom edge of any awning must be a minimum of 8 feet above sidewalk grade.
- Awnings may extend into public space 6 feet from the building front.
- Awnings must maintain a minimum clear distance of 3 feet from any tree branch, and 1 foot from projecting signage.

Fayetteville Street Location Standards

- Awnings may extend into public space 12 feet or to the closest edge of the **Garden Zone**.



Design

- Awnings must be mounted and supported by the building. No portion of the awning can touch the ground.
- Awnings may be constructed of metal, canvas, or fire resistant acrylic.
- Awnings must be in proportion to the overall building façade and match the width of the window or storefront opening.
- Use of one long awning across more than one building is not allowed. Each building must have a separate awning on its front.
- Upper floor awnings must be mounted within the window opening.
- Awnings are encouraged to be variations on the shed roof form.
- Signage on awnings must meet the City Code specifications. Refer to City Code Sec. 10-2083.2 for more information.
- Internal illumination of awnings is not permitted.

Maintenance

- Awnings must be kept clean and in good condition at all times.
- Any damaged awning fabric or framework must be replaced or removed promptly.
- Any pruning of nearby tree branches can only be done by qualified persons under contract by tenant/owner and under permit by the Urban Forester (contact 872-4115).
- Permits may be denied if the proposed level of pruning is deemed unhealthy for city tree by the Urban Forester or his/her staff.

CHECKLIST

- ☐ Building Permit
- ☐ Vegetation Impact Permit (*if needed*)
- ☐ Façade Grant Application (*if desired*)
- ☐ Completed Minor Encroachment Application (*check “Awning”*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement



F-4. MINOR ENCROACHMENTS:

Exterior Building & Accent Lighting

DESIGN STRATEGY

Exterior building and accent lighting offer dramatic ways to highlight architectural features and bring buildings to life during evening hours. They can also help light the sidewalk and enhance the safety of public spaces. Exterior building and accent lighting lends brightness, festivity, and vitality to an active urban environment.

APPLICATION PROCESS

Applications for Exterior Building and Accent Lighting Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. An Electrical Permit from the City Inspections Department for fixture installation (contact the Downtown Permits Office at 516-2550).
2. A Vegetative Impact Permit from the Urban Forestry Division (contact 872-4115), if the installation of awnings is likely to impact city trees in front of buildings. The Urban Forestry Division must be notified prior to the installation of any building encroachments. No pruning of City trees is permitted until a Vegetative Impact Permit is approved.
3. A Facade Grant application if awnings are installed as part of Façade Grant work (contact 807-8482 for more information).
4. At least two sketches or photographs of the building facade - one directly from the front, and another from one side showing where the fixtures are to be installed, their finished height above the sidewalk, and all streetscape materials (trees, signs, etc.) and building features (awnings, signs, etc.) within 6 feet of the installed light fixture.
5. Details of the fixtures themselves, including dimensions, materials and framing, color(s).
6. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
7. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
8. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.



REQUIRED PERMITS

- Electrical Permit
- Minor Encroachment Permit

FEE SCHEDULE

Item	Fee
Electrical Permit	\$70
Minor Encroachment Permit (one-time)	\$150

PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- An Electrical Permit is required for lighting fixture installation and can be obtained from the City of Raleigh Inspections Department.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- **NOTE:** The City Façade Grant Program provides limited matching grants for installation of lighting fixtures. Contact the Urban Design Center at 807-8242 for details.
- All lighting fixtures extending into public space must meet the standards and specifications of this handbook and the City Code (Sec. 10-2089).
- Tree-affixed lighting is prohibited.

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For exterior building and accent lighting to be permitted within downtown public spaces, all of the following standards must be met:

Location

- Building mounted light fixtures must not extend more than 18 inches into public space if less than 7 feet above sidewalk grade.

Design

- Light fixtures must be shielded to prevent glare for pedestrians, motorists, adjacent businesses, residents, or tenants. For example, bulbs (lamps) must not extend past the fixture housing.
- All lighting fixtures must meet the standards of the City Lighting Ordinance. See Sec. 10-2089 for more information.
- Light fixtures must be directed at the building or the ground, keeping uplighting to a strict minimum.
- Rotating, blinking or strobe lights are prohibited, unless approved by the City Council.
- Color, neon and LED lights are permitted.
- The targeted combined minimum illuminance level for the sidewalk area is 2 footcandles, with an average uniformity ratio of 3:1. This uniformity ratio applies only to horizontal footcandle levels.

Operation

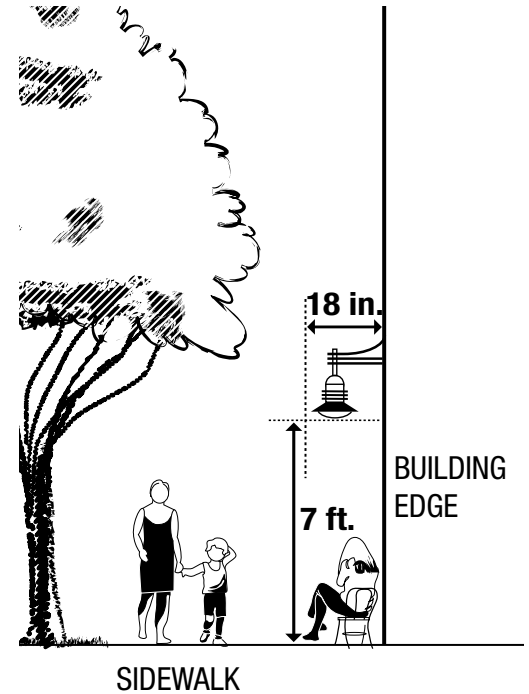
- Stores are encouraged to keep storefront lights on until midnight.
- Buildings may be lit from an adjacent building with mutual agreement between the building owners.

Maintenance

- The light fixtures must at all times be maintained in good condition.
- Burned-out light bulbs must be replaced within 48 hours. Damaged light fixtures must be replaced or removed within 10 days of discovery.
- Any pruning of nearby tree branches can only be done by qualified persons under contract by tenant/owner and under permit by the Urban Forester

CHECKLIST

- ☐ Electrical Permit
- ☐ Completed Minor Encroachment Application (*check "Exterior Building and Accent Lighting"*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement
- ☐ Facade Grant Application (*if desired*)



F-5. MINOR ENCROACHMENTS: Overhead Signs

DESIGN STRATEGY

Effective signage is essential to the success of retail and, to a lesser extent, other building types and land uses. An emphasis on quality and creativity is encouraged. The signage of each establishment should express its brand identity and contribute to the streetscape and civic spirit of Raleigh.

APPLICATION PROCESS

Applications for Overhead Sign permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A Building Permit from the City Inspections Department (contact the Downtown Permits Office at 516-2550).
2. An Electrical Permit from the City Inspections Department for installation of sign lighting (contact the Downtown Permits Office at 516-2550).
3. A Vegetative Impact Permit from the Urban Forestry Division (contact 872-4115), if the installation of sign fixtures is likely to impact city trees in front of buildings. The Urban Forestry Division must be notified prior to the installation of any building encroachments. No pruning of City trees is permitted until a Vegetative Impact Permit is approved.
4. A Facade Grant application if signs are installed as part of Façade Grant work (contact 807-8482 for more information).
5. At least two sketches or photographs of the building facade - one directly from the front, and another from one side showing where the signs are to be installed, their finished height above the sidewalk, and all streetscape materials (trees, light fixtures, etc.) and building features (awnings, lights, etc.) within 6 feet of the installed signage.
6. Details of the signage themselves, including dimensions, materials and framing, color(s).
7. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
8. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
9. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.



REQUIRED PERMITS

- Building Permit
- Electrical Permit
- Sign Permit
- Vegetation Impact Permit (*if needed*)
- Minor Encroachment Permit (check “Signage”)

FEE SCHEDULE

Fee Item	Fee
Building Permit	\$70
Electrical Permit (if needed)	\$70
Sign Permit	\$70
Vegetation Impact Permit (if needed)	\$60
Minor Encroachment Permit (one-time)	\$150

PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- An Electrical Permit is required for fixture installation and can be obtained from the City of Raleigh Inspections Department.
- A Building Permit is required for building mounted signage and can be obtained from the City of Raleigh Inspections Department.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- **NOTE:** The City Façade Grant Program provides limited matching grants for installation of signage. Contact the Urban Design Center at 807-8482 for details.
- Tree-affixed lighting is prohibited.
- All signage extending over public space must meet the standards and specifications of this handbook and the City Sign Code (Sec. 10-2083).

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3. of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For overhead signs to be permitted within downtown public spaces, all of the following standards must be met:

LOCATION

Projecting Signs:

- Signs must be hung perpendicular to the face of the building, except for corners where they may be hung at a 45 degree angle (measured from the corner) to the two building sides.
- Signs must not project more than 6 feet into the right of way from the building line.
- A 9 foot clearance must be maintained between the bottom of the signage and the sidewalk grade.
- Preferred signage locations include sign bands above the transom and on awnings. Corner buildings are encouraged to use projecting signs on their corners.

Awning Signs:

- A clearance of 8 feet must be maintained between the bottom of the awning and the sidewalk grade.

Logo Signs:

- Logo signs can extend a maximum of 3 feet from the building wall when used above the storefront, with a clearance below of 8 feet in height. They can extend a maximum of 5 feet when used above the storefront, with a clearance height greater than 8 feet.

DESIGN

- Signage must be compatible in scale, style, and composition with the building architecture and storefront design as a whole.
- Diverse graphic solutions are encouraged.
- All mechanical and electrical equipment must be concealed. All necessary access panels must be located at the store side of signage and designed as an integral part of the graphic design. Threaded rods or anchor bolts concealed from public view must be used to float elements from a mounting surface. Angle clips are not permitted.
- Electrical signs must be directly wired to the building's electrical service. Electrical signs should bear the U.L. (Underwriters Laboratories) label as required by applicable codes, and all labels excluding the city sign permit label must be concealed from public view.
- Light leaks not integral to the graphic design are prohibited. Light rays from signs must shine back on the property and not spill over the property in any direction, except by indirect reflection. Light projecting above the storefront must be minimized.
- There must be an emphasis on durable materials and quality manufacturing of the signage.



Logo sign



- Discouraged signage:
 - signs made of paper, cardboard, Styrofoam-type materials, formed plastic, injected molded plastic, or similar materials, which do not convey a sense of permanence or quality,
 - signs attached with suction cups or tape,
 - signs constructed of luminous vacuum formed plastic letters, or
 - signs with smoke-emitting components.
- Prohibited signage: LED changeable copy signs (unless approved by City Council).

Projecting Signs:

- Text and logo can project a maximum of $\frac{3}{4}$ inch from the background.
- Projecting signs can be internally or externally lit.
- Other City Code specifications must be met (refer to City Code Sec. 10-2083.2).

Awning Signs:

- Only business name, street address, building name, or logo is allowed on an overhead sign. No other advertising is allowed.
- Awning signage will be subtracted from the total signage allowance.
- Awning sign letters must not exceed 12 inches in height.

Logo Signs:

- The graphic image must be based upon the tenant's actual logo.
- Signs can be externally or internally illuminated when placed above a storefront.
- Signs must be externally illuminated when mounted on a wall surface below the top of the storefront.
- Federal and State-registered logo signs must not exceed $12\frac{1}{4}$ square feet and $3\frac{1}{2}$ feet in any dimension. That includes its casings, supports, and backings.

OPERATION

- Signs must not obscure a building's important architectural features, particularly in the case of historic buildings.
- Signage construction and installation must comply with all applicable Local and State codes.
- **Illuminated signs** must avoid colors red, yellow, and green when adjacent to a light-controlled vehicular intersection.
- City trees may not be pruned to increase sign visibility except with an approved Vegetative Impact Permit from the City Urban Forester.

MAINTENANCE

- Signage must be kept clean, structurally sound, and in a visually-appealing condition at all times.
- Damaged signs must be repaired or removed within a reasonable time limit from the time of discovery.
- Any tree pruning associated with keeping clearance from extending branches can only be done by qualified persons under contract by tenant/owner and under permit by the Urban Forester.
- Permits may be denied if the proposed degree of pruning is deemed unhealthy for a city tree by the Urban Forester or his/her staff.

CHECKLIST

- ☐ Building Permit (*for building mounted signs*)
- ☐ Electrical Permit
- ☐ Facade Grant Application Form (*if desired*)
- ☐ Vegetation Impact Permit (*if needed*)
- ☐ Sign Permit
- ☐ Completed Minor Encroachment Application Form (*check "Overhead Sign"*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement

F-6. MINOR ENCROACHMENTS: A-frame Signs

DESIGN STRATEGY

A-frame signs, also known as sandwich boards, are temporary freestanding signs used to draw pedestrian traffic into a shop or restaurant. They are effective in adding visual interest to the sidewalk while helping retail and restaurant establishments.

APPLICATION PROCESS

Applications for A-frame Sign Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A sketch plan or photographs showing proposed sign location and surrounding streetscape details covering 6 feet on either side of the proposed location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
2. Design of the sign – drawing or photographs, dimensions, materials specifications.
3. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
4. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
5. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.

REQUIRED PERMITS

- Sign Permit
- Minor Encroachment Permit

FEE SCHEDULE

Item	Fee
Sign Permit	\$70
Minor Encroachment Permit (one-time)	\$150



PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- Downtown Permits Office maintains record of all permits including contact information.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- All issued permits are location-specific. If within a given year of receiving a permit, the applicant desires to change location of business, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.
- Signs within public space must also meet the standards and specifications of the City Sign Code (Sec. 10-2083).

Violations

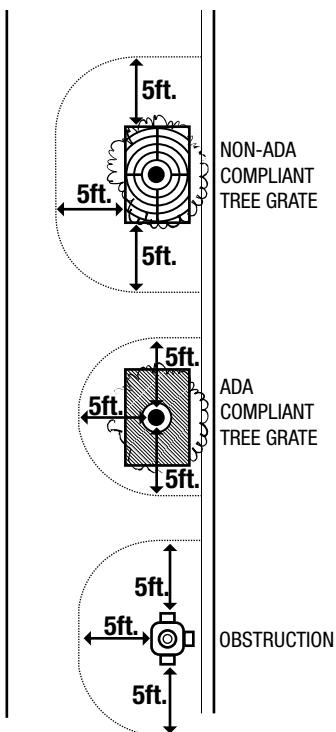
- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For A-frame signs to be permitted within downtown public spaces, all of the following standards must be met:

LOCATION

- Multi-tenant buildings are allowed one A-frame sign per storefront entrance.
- An unobstructed sidewalk pedestrian passage a minimum of 5 feet in width must be maintained at all times parallel to the street. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.



Clear space requirements around tree grates and other obstructions.

- Signs must be placed in front of the storefront in question and on the same side of the street.
- Signs must not be affixed to street trees.
- Signs must not obscure a building's important architectural features or the main building entrance.

Fayetteville Street Location Standards

- A-frame signs must allow an unobstructed 7 foot-wide pedestrian corridor parallel to the street at all times.
- A-frame signs are allowed within 3 feet of the building wall (but not within 3 feet of building entrances) or between 9 feet and 12 feet from the building wall (provided they do not block sight distance triangles at street intersections).

DESIGN

- A-frame signs can have a maximum area of 6 square feet with a maximum height of 3 feet and a 2 foot width.
- Business name, logo, street address, building name of the business, food menu of the attached business, sale announcements, price tags, real estate sales, or directional or safety information is permitted on a freestanding sign. The lettering must not exceed 80% of the board. No other advertising is allowed on the signs.
- A-frame signs must have locking arms or other stabilizing devices, and be of sufficient weight to resist wind gusts of up to 10 mph.
- Freestanding signage is subtracted from the property's total signage allowance.

OPERATION

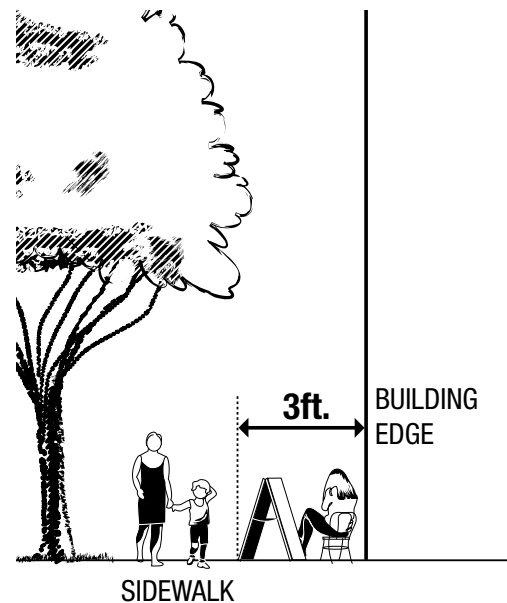
- A-frame signs must not block building entrances or exits.
- A-frame signs can be displayed only during the hours of operation of the associated business.
- A-frame signs must be removed at the end of business by the establishment holding the permit.
- A-frame signs must be removed during approved special events.
- A-frame signs must be removed during inclement weather and high wind conditions.

MAINTENANCE

- Signage must be kept clean, structurally sound, and in visually-appealing condition at all times.

CHECKLIST

- ☐ Completed Minor Encroachment Application Form (*check "A-Frame Signs"*)
- ☐ Completed Sign Permit Application
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement



Appendix I. PERMITS & FEES

Use	Required Permits	Annual Fee Schedule:
Newsracks	City of Raleigh Business License	\$15
	Newsrack	Varies*
Outdoor Dining	Outdoor Dining	\$150
	NC ABC License	Varies*
	City Wine/Beer License	Varies*
	Wake County Health Approval Letter	Varies*
	Outdoor Amplification	\$200
Street Performances	Street Performance	\$40 (Annually)
Pushcart Vending	City of Raleigh Business License	\$25
	Pushcart Vending	\$60
	Home Occupation Use	\$70
	Wake County Health	Varies*
Private Mail	City of Raleigh Business License	Varies*
Drop-Off Boxes	Mail Drop-Off Box	\$15
Minor Encroachments	Encroachment Permit	\$150
Outdoor Merchandise	City of Raleigh Business License	Varies*
	Encroachment	\$150
One-Time Permit Fees:		
Street Furniture and Accessories	Encroachment	\$150
Awning	Encroachment	\$150
	Building	\$70
Exterior Building & Accent Lighting	Encroachment	\$150
	Electrical	\$70
Overhead Signs	Sign	\$70
	Electrical Permit	\$70
	Building	\$70
	Encroachment	\$150
A-Frame Signs	Sign	\$70
	Encroachment	\$150
Vegetative Impacts (Tree Pruning, etc.)	Vegetation Impact Permit	\$60

* Fee varies with nature, type and size of business

Appendix 2. PERMIT INFORMATION

NC ABC Permit	NC ABC Commission 779-0700
City Beer/Wine License	City of Raleigh Revenue Services Division 890-3200
Building Permit	City of Raleigh Inspections Department 516-2150
Electrical Permits (Signs)	City of Raleigh Inspections Department 516-2546
Home Based Businesses	Downtown Permits Office 516-2550
Minor Encroachment Permit	Downtown Permits Office 516-2550
Newsracks	Downtown Permits Office 516-2550
Outdoor Dining	Downtown Permits Office 516-2550
Permanent Encroachment	City of Raleigh Inspections Department 516-2559
Business License	City of Raleigh Revenue Services Division 890-3200
Public Art	Raleigh Arts Commission 857-4372
Raleigh Police Department	Raleigh Downtown Police Department 858-8518
Sign Permit	Downtown Permits Office 516-2546
Special Events	Downtown Raleigh Alliance 832-1231
Special Events In Parks	City of Raleigh Parks and Recreation Department 890-3285
Street Performances	Downtown Permits Office 516-2550
Pushcart Vending	Downtown Permits Office 516-2550
Vegetation Impact Permit (Tree maintenance, etc.)	Parks and Recreation Department Urban Forestry Division 872-4115

Appendix 3. GLOSSARY

Artisan. A skilled worker who produces handicrafts.

Awning. A fixed, permanent, or retractable fabric cover that is attached to the wall of a building and that projects over an entrance or window into public space.

Cart Operation Area. An area a maximum of 36 square feet in size measured out from the edges of a vendor cart.

Competing Business. Businesses that are of similar nature or providing the same type of products or services.

Encroachment. Any privately-owned object, equipment, signage, or materials situated on, affixed to, or overhanging any public spaces including, but not limited to canopies, awnings, and street furniture.

Encroachment Committee. A committee comprised of representatives from various City departments that reviews and makes recommendations to the approval authority for proposed encroachments on public right-of-way spaces.

Established Businesses. Businesses housed within a building or a permanent immobile structure, with frontage on the public right-of-way.

Garden Zone. On Fayetteville Street, the 19-foot wide area on each side of the street between the Walking Zone (immediately adjacent to the building fronts) and the street.

Handicraft. Products made by a silversmith, weaver, jeweler, candle maker, wood carver, needle crafter, quilter, potter, maker of fragrances/ incense, leatherworker, or makers of other handcrafted products.

Home-based Business. Any business where the primary office is located in the owner's home.

Illuminated Sign. Any sign lit by electricity or any other source of power, or illuminated in any manner.

Logo Signs. A type of projecting sign, the graphic image of which must be based upon the building tenant's business logo.

Merchandise. Items offered for retail sales including, but not limited, to plants, flowers, clothing, jewelry, ornaments, art work, food or beverages, or other goods or wares.

Minor Encroachments. Uses of a public space which are largely temporary or minor in nature, posing little long-term physical impact, and which can be removed with relative ease if desired.

Modular Newsrack. A newsrack designed with multiple separate enclosed compartments to accommodate at any one time the display, sale, or distribution of multiple distinct and separate newspapers or other publications.

Newsrack. Any self-service container, storage unit, or other dispenser installed, used, or maintained for the distribution of newspapers or other publications. A newsrack is typically designed as a single enclosed compartment.

Non-competing Businesses. Businesses that are not of similar nature or providing the same type of products or services.

Outdoor Dining Area. An area in front of or immediately adjacent to a restaurant and located in public space whereon tables, chairs, or benches are placed for dining purposes.

Outdoor Merchandise Area. An area in front of or immediately adjacent to a retail business where merchandise is located on a public sidewalk for the purposes of displaying, exhibiting, selling, or offering for sale merchandise.

Projecting Sign. A sign end-mounted or otherwise attached to an exterior wall of a building, and which projects from the wall more than 6".

Public space. An interest in land to the City which provides for the perpetual right and privilege of the City, its agents, franchise holders, successors, and assigns to construct, install, improve, reconstruct, remove, replace, inspect, repair, maintain, and use a public street, including related and customary uses of street rights-of-way such as sidewalks, bike paths, landscaping, mass transit facilities, traffic control devices and signage, sanitary sewer, storm water drainage, water supply, cable television, electric power, gas, and telephone transmission and related purposes in, upon, over, below, and across the rights-of-way. The City is authorized to remove, and keep removed from the rights-of-way all trees, vegetation, and other obstructions as is determined to be necessary by the City to maintain, repair, and protect facilities located in the realm.

Pushcart. Wheeled cart which may be moved by one person without the assistance of a motor and which is designed and used for displaying, keeping, or storing any articles for sale by a vendor.

Pushcart Vendor. A person who offers for sale food, beverages, or other merchandise from a pushcart in public space.

Sale. An event or series of events during which goods, wares, and merchandise are offered for sale to the public.

Street. The term street, when used herein, shall be construed to embrace all streets, avenues, boulevards, roads, alleys, lanes, squares, bridges, viaducts, tunnels, causeways, and sidewalks, lying within the street realm, and all other public highways in the City.

Sidewalk. All the areas legally open to public use as a pedestrian public way between the curb line and public space boundary along the abutting property.

Sidewalk Clearance. Unobstructed sidewalk space open to pedestrian travel adjacent to streetscape elements (such as utility poles, vending carts, benches, or tree grates).

Sign. Any medium, including its structure and component parts, which is used or intended to be used to attract attention for identification, noncommercial expression, announcement, or advertising purposes.

Street Block Face. One side of a street between two consecutive street intersections.

Street Furniture. Benches, planters, flower boxes/pots, or other objects constructed or used outdoors.

Street Performances. Acting, singing, playing musical instruments, pantomime, mime, magic, dancing, juggling, or the sale of visual art and wares produced by the artist on site. The definition does not include picketing, parades, and other activities regulated elsewhere in the City Code.

Street Performers. Individuals who perform, as defined herein, on the streets of the City of Raleigh.

Treated Wood. Pressure treated wood utilizing preservative chemicals (copper sulphate, arsenate, etc.).

Vegetation Impact Permit. This permit defines the activities and conditions that are permitted to take place on trees that are located on the public right-of-way or public controlled areas. A request form must be submitted with the scope of work outlined and the work approved by the Urban Forester before the permit will be granted.

Vendor/ Artisan. A person who offers for sale crafts, non-food plants, or other goods which that individual has personally produced or created.

Walking Zone. On Fayetteville Street, the 12-foot wide zone along the storefronts on both sides of the street.

Appendix 4. Maintenance Responsibilities

GENERAL STANDARDS

Individuals or businesses receiving permits for private use of public spaces are required to:

- Keep the activity area free of litter, debris, dirt, or discarded materials that might be deposited as a result of the approved activity,
- Keep sidewalk surfaces in the activity area free of grease, rust, paint, or other coatings or stains that might be deposited as a result of the approved activity, and
- Report accidental spills, graffiti, vandalism, or other damage to sidewalks, trees, or streetscape features immediately to the designated City Department (831-6446; graffiti hotline: 831-6001).

The Parks and Recreation Department's Maintenance Division monitors site conditions on Fayetteville Street. Downtown Raleigh Alliance Ambassadors monitor all other areas within the Downtown Overlay District.

ACTIVITY SPECIFIC STANDARDS

In addition to the general standards noted above, specialized standards apply to the respective activities listed below:

Outdoor Dining

The owner of the associated business is required to:

- Arrange for power washing of the approved dining area at least once every three months.
- Keep the area free of ice or snow:
 - At the onset of snow or ice, tables and chairs must be taken into the restaurant building and stored there until all snow and ice in the outdoor dining area is removed,
 - Snow and ice accumulation in building entryways must be pushed to the face of the building for removal by the Parks Department, and
 - Snow and ice accumulation within the outdoor dining area must be pushed to the street gutter for removal by the Parks Department.

The Parks Department assures that sidewalks and Fayetteville Street Garden Zone areas are passable by 8:00 a.m.

Pushcarts - Outdoor Merchandise Sales - Street Furniture & Accessories

The owner of the associated business is required to:

- Keep the area free of ice or snow:
 - At the onset of snow or ice, equipment, materials, and other objects associated with the permitted activity must be removed by the permit holder and not placed back until all snow and ice in the activity area is removed, and
 - Snow and ice accumulation within the activity area must be pushed to the street gutter for removal by the Parks Division.

The Parks Department assures that sidewalks and Fayetteville Street Garden Zone areas are passable by 8:00 a.m.

(continued)

A-Frame Signs

The owner of the associated business is required to maintain the sign in an upright position.

Fayetteville Street Maintenance Standards

- Further specifications are provided in the City of Raleigh manual *Fayetteville Street Renaissance Phase I Maintenance Partnership, Programs and Policies*.
- Trees will be pruned for health of tree and for safe passage of vehicles and pedestrians, and not for accommodating signs, awnings, etc. The City Urban Forester must be contacted before any tree pruning is done (contact 872-4115).

Appendix 5. Sample Indemnity Agreement

CITY OF RALEIGH

INDEMNITY AGREEMENT FOR _____

WHEREAS, the undersigned has requested to use property or facilities belonging to or under the auspices of the City of Raleigh, North Carolina, for the placement of street vending/ pushcarts, and to engage in activities for the exclusive benefit of the undersigned and

WHEREAS, the undersigned agrees to do so at his or her own risk and recognizing the possible and inherent danger to his or her person or property and the person and property of others resulting therefrom; and

WHEREAS, the City of Raleigh does not wish to be liable for any damages arising from personal injury or property damage sustained thereby.

NOW, THEREFORE, in consideration of the mutual promises and other good and valuable consideration, the undersigned does hereby for himself, his heirs, executor, employers, successors or administrators, and personal representatives:

- A. Assume full responsibility for any personal injury or any damage to his or her personal property which may occur, directly or indirectly, while in, on, or about any City of Raleigh premises or parts thereof;
- B. Fully and forever release and discharge the City of Raleigh, its agents and employees, from any and all claims, demands, damages, rights of action, or causes of action, present or future, whether the same be known, anticipated, or unanticipated, relating to, resulting from, or arising out of the undersigned being in, on, or about any such City of Raleigh property, or at any or all of the premises or places aforesaid;
- C. Indemnify and hold harmless the City of Raleigh, its agents and employees, for any act or conduct of the undersigned of whatever kind or nature whatsoever, while in, on, or about any such City of Raleigh property, or at any or all of the premises and places aforesaid;
- D. Agree to defend and to pay any attorneys' fees as a result of any action brought by or against the City of Raleigh, its agents and employees, for any acts or conduct of the undersigned of whatever kind or nature whatsoever, while in, on, or about any such City of Raleigh property, or at any or all of the premises aforesaid.
- E. Agree that it is the intent of the undersigned that this Release and Indemnity Agreement shall be in full force and effect any time after the Execution hereof.

Corporation _____ LLC _____
 Name/ Title Name/ General Partner/ Manager

Signature _____ Dated at Raleigh, N.C. this _____

Signature _____
 _____ day of _____

Address _____

City, State, and Zip Code _____ 20__ at _____ o'clock

Telephone Number _____ Witness Signature _____

APPROVED AS TO FORM:
 RALEIGH CITY ATTORNEY

BY: _____

Appendix 6. Façade Rehabilitation Grant Program

OVERVIEW

The City of Raleigh offers financial assistance to improve the appearance of buildings. The City's Façade Grant Program helps businesses and property owners in downtown and in older commercial areas upgrade and improve their building's exterior appearance. Since the program's inception in the early 1980s, it has assisted in the rehabilitation of more than 100 buildings, increasing their attractiveness to new customers and contributing a positive influence toward revitalization of their respective areas.

GOALS

- To promote façade rehabilitation of commercial and mixed-use buildings in the downtown area, commercial areas adjacent to the downtown, and older pedestrian business districts.
- To preserve special characteristics of these areas by helping owners make quality building improvements that foster a sense of place and overall consistent image for an area.
- To compliment other revitalization efforts, such as sidewalk and landscaping improvements.
- To promote an attractive environment for new investment and business activity.

FAÇADE REHABILITATION GRANTS

Grant rebates for a portion of exterior rehabilitation costs are available on a first-come, first-served basis for buildings located in the downtown or in one of the Pedestrian Business Overlay Districts for which streetscape guidelines have developed. (Routine maintenance, as opposed to highly visible improvements, is not eligible for grant funding.) Funds are available once per address every ten years.

ELIGIBLE IMPROVEMENTS

- The removal of false fronts (such as aluminum panels)
- Repair or replacement of windows, doors, and cornices
- Repair or replacement of façade materials
- New, more appropriate signage
- New awnings
- Exterior lighting
- Exterior painting (when part of a larger rehab effort)



Before



After

GRANT TYPES AND AMOUNTS

1) DOWNTOWN CORE FAÇADE REHABILITATION GRANTS

Grant rebates of up to \$10,000 or 50 percent of exterior rehabilitation costs (whichever is less) are available for projects located on the following downtown streets:

- Fayetteville Street
- South Salisbury Street
- South Wilmington Street
- The east and west 000 blocks of Hargett Street, Martin Street, and Davie Street

In order to qualify for these grants, projects requesting these grants must comply with the design guidelines of the *Raleigh Urban Design Handbook*. These are special one-time grants available on a first-come, first-served basis until June 30, 2008.

2) DOWNTOWN AND PEDESTRIAN BUSINESS OVERLAY DISTRICT FAÇADE GRANTS

Grant rebates of up to \$5,000 or 50 percent of exterior rehabilitation costs (whichever is less) are available for buildings in other areas of Downtown or in one of the Pedestrian Business Overlay Districts for which streetscape guidelines have developed (such as Glenwood South). Review and approval of proposed rehabilitation projects are based upon the design guidelines or streetscape plans for the area in which the project is located.

DESIGN ASSISTANCE

At no cost to program participants, concept drawings, and design suggestions can be prepared by an architectural consultant showing ideas for exterior improvements. These improvement suggestions are tailored to be relatively quick and inexpensive to implement, yet they can dramatically upgrade the appearance of the building. This assistance is dependent on the use of a façade grant.

PROGRAM ELIGIBILITY

Property owners or business tenants in the Downtown or one of the Pedestrian Business Overlay Districts may apply. Tenant applications must have the building owner's written approval. All applications must be submitted for approval prior to the beginning of construction.

All rehabilitation work must comply with all applicable City codes, ordinances, and policies, including but limited to building code requirements, local ordinances (including historic district guidelines, where applicable), and established design standards for the designated area.

Work must fully follow plans and renderings as approved by the City of Raleigh Planning Department. Renovations must be completed within twelve months of the date of project approval and an agreement to maintain the façade for a period of ten years must be signed by the applicant. Once work is completed and reviewed, the applicant must submit proof of payment for rehabilitation (usually in the form of paid invoices) in order for the City to provide reimbursement.

FOR MORE INFORMATION CONTACT

Downtown Opportunities Coordinator
 Raleigh Urban Design Center
 133 Fayetteville Street Mall, Suite 100
 Raleigh, NC 27601
 919-807-8482

ACKNOWLEDGEMENTS

RALEIGH CITY COUNCIL

Charles Meeker, Mayor
James West, Mayor Pro Tem
Tommy Craven
Thomas Crowder
Philip Isley
Joyce Kekas
Russ Stephenson
Jessie Taliaferro

CITY ADMINISTRATION

J. Russell Allen, City Manager
Daniel Howe, Assistant City Manager
Thomas McCormick, City Attorney
Larry Strickland, Inspections Director
Mitchell Silver, Planning Director
Kenneth Bowers, Deputy Planning Director
Daniel Douglas, Planning Manager

COLLABORATING DEPARTMENTS

City Attorney
City Planning & Urban Design
Finance
Inspections
Parks and Recreation
Police
Public Utilities
Public Works

COLLABORATING AGENCY

Downtown Raleigh Alliance

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